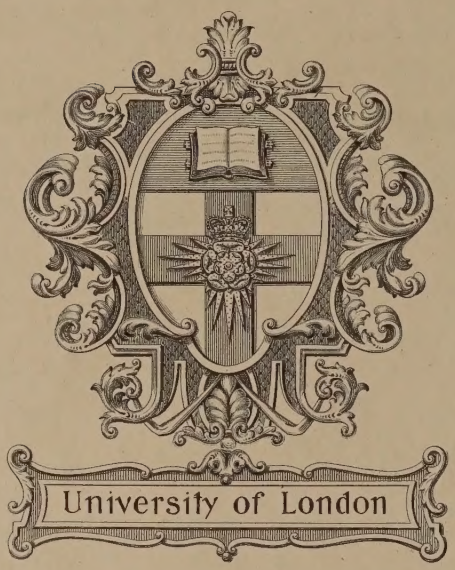
University of London

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B I L L S,

PUBLIC:

SIX VOLUMES.

—*(3.)*—

FACTORY ACTS EXTENSION

TO

LYON KING OF ARMS (SCOTLAND).

Session

5 February —— 21 *August* 1867

VOL. III.

1867.

BILLS:

1867.

SIX VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

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Factory Acts Extension Bill.

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1. Short Title of Act.
2. Application of Act.
3. General Definitions.
4. Definition of Factory Acts.
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6. Application of Factory Acts to Factories not included in such Acts.
7. Restrictions as to Employment of Children, Young Persons, and Women in certain Factories.
8. Meals not to be taken in certain Parts of Glass Factory.
9. Extension of Provision relating to Ventilation in Factories.
10. Penalty on not fixing Grindstones securely.
11. Rule as to Number of Persons employed to constitute a Factory.

SCHEDULE containing Qualifications of the Factory Acts.

A

B I L L

FOR

The Extension of the Factory Acts.

WHEREAS it is expedient to amend and extend the Acts relating to Factories: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as "The Factory Acts Extension Act, 1867." Short Title of Act.

2. This Act shall apply to the whole of the United Kingdom. Application of Act.

3. For the Purposes of this Act the following Words shall in this Act and in the Acts incorporated herewith, herein-after included under the Expression this Act, have the Meanings hereby applied to them, unless there is something in the Context inconsistent with such Meanings; that is to say, General Definitions.

"Factory" shall mean as follows:

1. Any Blast Furnace or other Furnace or Premises in or on which the Process of Smelting or otherwise obtaining any Metal from the Ores is carried on: "Factory."
2. Any Copper Mill:

3. Any Iron Mill, Forge, or other Premises in or on which any Process is carried on for converting Pig Iron into Malleable Iron, and any Steel Forge:

4. Iron Foundries, Copper Foundries, Brass Foundries, and other Premises or Places in which the Process of Founding or Casting any Metal is carried on:

5. Any Premises in which Steam, Water, or other mechanical Power is used for moving Machinery employed—
   (*a.*) In the Manufacture of any Article of Metal.
   (*b.*) In the Manufacture of India-rubber or Gutta-percha, or Articles made wholly or partly of India-rubber or Gutta-percha:

6. Any Premises in which any of the following Manufactures are carried on, namely:
   (*a.*) Paper Manufacture.
   (*b.*) Glass Manufacture.
   (*c.*) Tobacco Manufacture.

7. Any Building or Premises whatsoever in the same Occupation, in, on, or within the Precincts of which One hundred or more Persons are employed in any manufacturing Process:

"Manufacturing Process." And every Part of a Factory shall be deemed to be a Factory, except such Part, if any, as is used exclusively as a Dwelling:

"Manufacturing Process" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, or ornamenting any Article.

Definition of Factory Acts. **4.** The Factory Acts shall in this Act mean the Fourth and Fifth Sections of "The Factory Acts Extension Act, 1864," relating to Sanitary Measures and Special Rules, and such Provisions as are now in force of the Acts following:

An Act passed in the Fourth Year of the Reign of His late Majesty William the Fourth, Chapter One hundred and three, intituled "An Act to regulate the Labour of Children and "Young Persons in the Mills and Factories of the United "Kingdom," which henceforth may be cited for all Purposes as "The Factory Act, 1833;"

An Act passed in the Seventh Year of the Reign of Her present Majesty, Chapter Fifteen, intituled "An Act to amend the "Laws relating to Labour in Factories," which henceforth may be cited for all Purposes as "The Factory Act, 1844;"

An

An Act passed in the Fourteenth Year of the Reign of Her present Majesty, Chapter Fifty-four, intituled "An Act to "amend the Acts relating to Labour in Factories," which henceforth may be cited for all Purposes as "The Factory Act, 1850;"

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"The Factory Act, 1856."

Exemptions from Act.

5. There shall be excluded from the Provisions of this Act and of the Schedule annexed hereto:

1. Any Buildings or Premises defined to be a Factory by the Factory Act, 1844, and subject to the Regulations of that Act and of the Acts directed to be construed as one therewith:
2. Any Printwork as defined by the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Twenty-nine, intituled "An Act to regulate "the Labour of Children, Young Persons, and Women in "Printworks," and subject to the Regulations of that Act and of the Act amending the same:
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5. Any Bakehouse as defined by "The Bakehouse Regulation Act, 1863:"
6. Any Factory subject to the Provisions of the Factory Acts Extension Act, 1864.

Application of Factory Acts to

6. The Factory Acts as herein-before defined shall be incorporated with this Act, and, subject to the Modifications mentioned in

Factories not included in such Acts.

in the Schedule annexed hereto, shall, from and after the First Day of January One thousand eight hundred and sixty-eight, be in force in every Factory which is not excluded from the Operation of this Act.

Restrictions as to Employment of Children, young Persons, and Women in certain Factories.

7. 1. No Child, young Person, or Woman shall be employed on Sunday in or about a Blast Furnace:

2. No Boy under the Age of Twelve Years, and no Female, shall be employed in any Part of a Glass Factory in which the Process of melting or annealing Glass is carried on:

3. No Child under the Age of Eleven Years shall be employed in grinding in the Metal Trades:

And any Child, young Person, or Woman who is employed in contravention of this Section shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Meals not to be taken in certain Parts of Glass Factory.

8. In the Manufacture of Glass, no Child, young Person, or Woman shall be allowed to take his or her Meals in any Part of the Factory where the Materials are mixed, or where the Work of cutting and polishing is carried on; and any Child, young Person, or Woman allowed to take his or her Meals in contravention of the said Provision shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Extension of Provision relating to Ventilation in Factories. Report 4, p. 10.

9. In every Factory where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to any Inspector of Factories that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Inspector to direct a Fan or other mechanical Means, of such Construction as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State, to be provided by the Occupier of the Factory within a reasonable Time; and if such Occupier fail to comply with such Direction he shall be deemed to have failed to have kept his Factory in conformity with the Fourth Section of "The Factories Act Extension Act, 1864," and shall be punishable accordingly.

Penalty on not fixing Grindstones securely. Report 4, pp. 11, 12.

10. If it appears to any Inspector that any Grindstone, worked by Steam or other mechanical Power in any Factory, is fixed in so faulty a Manner as to be likely to cause bodily Injury to the Grinder using the same, such Inspector shall take the same Proceedings as nearly as may be as he is required to take by "The Factory Act, 1844," with respect to Machinery not securely fenced; and the Occupier of the Factory shall be liable to the same Penalties

Penalties for not properly fixing the said Grindstone as he would be liable to under the said Act in respect of any Machinery found to be not properly fenced.

Rule as to Number of Persons employed to constitute a Factory.

11. *One hundred* or more Persons shall for the Purposes of this Act be deemed to continue to be employed in any Factory during the Year One thousand eight hundred and sixty-eight and any succeeding Year, if that Number of Persons has during the preceding Year been employed in such Factory for any Period or Periods amounting in the whole to *One hundred* Days.

SCHE-

SCHEDULE.

Temporary Modifications.

1. During the First Six Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Eleven Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

2. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Twelve Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

3. So much of the Factory Acts as provides that during any Time allowed for Meals no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on, and that all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, shall not be in force with respect to any Factory to which this Act applies, until the Expiration of Eighteen Months after the First Day of January One thousand eight hundred and sixty-eight.

Permanent Modifications.

4. The Eighteenth Section of "The Factory Act, 1844," relating to the lime-washing and washing of Factories shall not be in force as respects any Factory to which this Act applies.

5. In any Factory to which this Act applies, Children, Young Persons, or Women may be employed between the Hours of Seven in the Morning and Seven in the Evening, at any Time of the Year, subject to the Regulations of the Sixth Section of the Factory Act, 1850, and the said Sixth Section shall, as respects any such Factory, be construed as if the Words "during all or Part " of the Period between the Thirtieth Day of September of any Year and the " First Day of April of the following Year" had been omitted from such Section.

6. So much of the said Factory Acts as provide that during any Time allowed for Meals, no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on, and that all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, shall not apply to Puddlers, to Paper Manufacturers, or Glass Manufacturers.

7. In

7. In Blast Furnaces, in Iron Mills, in Iron Forges, in Steel Forges, in the Processes of melting or annealing Glass, in Letterpress Printing, in Paper Mills, in any Factory in which the mechanical Power is Water, and in any Factory or Class of Factories, with respect to which One of Her Majesty's Principal Secretaries of State certifies by Licence under his Hand that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than Six Nights in any Fortnight.

8. In the Case of any accidental Delay occurring in any Process in any Glasshouse, in order to recover the Time so lost any Male Child or Male Young Person may be employed One Hour more than the Time during which such Child or Young Person might otherwise be employed.

Factory Acts Extension.

A

BILL

For the Extension of the Factory Acts.

(*Prepared and brought in by*
Mr. Secretary Walpole, Lord John Manners, and
Sir John Pakington.)

Ordered, by The House of Commons, *to be Printed,*
1 *March* 1867.

[Bill 62.]

Under 2 *oz.*

Factory Acts Extension Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

Preliminary.

1. Short Title of Act.
2. Application of Act.
3. General Definitions.
4. Definition of Factory Acts.
5. Exemptions from Act.
6. Application of Factory Acts to Factories not included in such Acts.
7. Restrictions as to Employment of Children, Young Persons, and Women in certain Factories.
8. Meals not to be taken in certain Parts of Glass Factory.
9. Extension of Provision relating to Ventilation in Factories.
10. Penalty on not fixing Grindstones securely.
11. Inspector or Sub-Inspector to produce, when required, Certificate of Appointment.
12. Rule as to Number of Persons employed to constitute a Factory.

SCHEDULE containing Qualifications of the Factory Acts.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

The Extension of the Factory Acts.

WHEREAS it is expedient to amend and extend the Acts relating to Factories: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

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1. This Act may be cited for all Purposes as "The Factory Acts Extension Act, 1867." Short Title of Act.

2. This Act shall apply to the whole of the United Kingdom. Application of Act.

3. For the Purposes of this Act the following Words shall in this Act and in the Acts incorporated herewith, herein-after included under the Expression this Act, have the Meanings hereby applied to them, unless there is something in the Context inconsistent with such Meanings; that is to say, General Definitions.

"Factory" shall mean as follows: "Factory."

1. Any Blast Furnace or other Furnace or Premises in or on which the Process of Smelting or otherwise obtaining any Metal from the Ores is carried on (which Furnace or Premises are herein-after referred to as a Blast Furnace):

2. Any Copper Mill:

3. Any Mill, Forge, or other Premises in or on which any Process is carried on for converting Iron into Malleable Iron, Steel, or Tin Plate, or for otherwise making or converting Steel (which Mills, Forges, and other Premises are herein-after referred to as Iron Mills):

4. Iron Foundries, Copper Foundries, Brass Foundries, and other Premises or Places in which the Process of Founding or Casting any Metal is carried on:

5. Any Premises in which Steam, Water, or other mechanical Power is used for moving Machinery employed—
   (a.) In the Manufacture of Machinery.
   (b.) In the Manufacture of any Article of Metal not being Machinery.
   (c.) In the Manufacture of India-rubber or Gutta-percha, or Articles made wholly or partly of India-rubber or Gutta-percha:

6. Any Premises in which any of the following Manufactures or Processes are carried on, namely:
   (a.) Paper Manufacture.
   (b.) Glass Manufacture.
   (c.) Tobacco Manufacture.
   (d.) Letterpress Printing.
   (e.) Book-binding.

7. Any Premises, whether adjoining or separate, in the same Occupation, situate in the same City, Town, Parish, or Place, and constituting One Trade Establishment, in, on, or within the Precincts of which One hundred or more Persons are employed in any manufacturing Process:

And every Part of a Factory shall be deemed to be a Factory, except such Part, if any, as is used exclusively as a Dwelling:

"Manufacturing Process."

"Manufacturing Process" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, ornamenting, finishing, or otherwise adapting for Sale any Article.

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4. The Factory Acts shall in this Act mean the Fourth and Fifth Sections of "The Factory Acts Extension Act, 1864," relating to Sanitary Measures and Special Rules, and such Provisions as are now in force of the Acts following:

An Act passed in the Fourth Year of the Reign of His late Majesty William the Fourth, Chapter One hundred and three, intituled "An Act to regulate the Labour of Children and "Young Persons in the Mills and Factories of the United "Kingdom," which henceforth may be cited for all Purposes as "The Factory Act, 1833;"

An

An Act passed in the Seventh Year of the Reign of Her present Majesty, Chapter Fifteen, intituled "An Act to amend the "Laws relating to Labour in Factories," which henceforth may be cited for all Purposes as "The Factory Act, 1844;"

An Act passed in the Fourteenth Year of the Reign of Her present Majesty, Chapter Fifty-four, intituled "An Act to "amend the Acts relating to Labour in Factories," which henceforth may be cited for all Purposes as "The Factory Act, 1850;"

An Act passed in the Seventeenth Year of the Reign of Her present Majesty, Chapter One hundred and four, intituled "An Act further to regulate the Employment of Children in "Factories," which henceforth may be cited for all Purposes as "The Factory Act, 1853;" and

"The Factory Act, 1856."

Exemptions from Act.

5. There shall be excluded from the Provisions of this Act and of the Schedule annexed hereto:

1. Any Buildings or Premises defined to be a Factory by the Factory Act, 1844, and subject to the Regulations of that Act and of the Acts directed to be construed as one therewith:
2. Any Printwork as defined by the Act of the Session of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Twenty-nine, intituled "An Act to regulate "the Labour of Children, Young Persons, and Women in "Printworks," and subject to the Regulations of that Act and of the Act amending the same:
3. Any Buildings or Premises defined to be "Bleaching Works" or "Dyeing Works" by the Act of the Session of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Seventy-eight, intituled "An Act "to place the Employment of Women and Young Persons "and Children in Bleaching Works and Dyeing Works "under the Regulations of the Factory Acts," or any Acts amending the same:
4. Any Lace Factories subject to the Provisions of the Act of the Session of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter One hundred and seventeen, and intituled "An Act to place the Employment "of Women, Young Persons, Youths, and Children in Lace "Factories under the Regulations of the Factory Acts" and of the Acts therein recited:
5. Any Bakehouse as defined by "The Bakehouse Regulation Act, 1863:"
6. Any Factory subject to the Provisions of the Factory Acts Extension Act, 1864.

Application of Factory Acts to Factories not included in such Acts.

6. The Factory Acts as herein-before defined shall be incorporated with this Act, and, subject to the Modifications mentioned in the Schedule annexed hereto, shall, from and after the First Day of January One thousand eight hundred and sixty-eight, be in force in every Factory which is not excluded from the Operation of this Act.

Restrictions as to Employment of Children, Young Persons, and Women in certain Factories.

7. 1. No Child, Young Person, or Woman shall be employed on Sunday in or about any Factory, subject to the Modifications in the Schedule as regards Blast Furnaces:

2. No Boy under the Age of Twelve Years, and no Female, shall be employed in any Part of a Glass Factory in which the Process of melting or annealing Glass is carried on:

3. No Child under the Age of Eleven Years shall be employed in grinding in the Metal Trades:

And any Child, Young Person, or Woman who is employed in contravention of this Section shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Meals not to be taken in certain Parts of Glass Factory.

8. In the Manufacture of Glass, no Child, Young Person, or Woman shall be allowed to take his or her Meals in any Part of the Factory where the Materials are mixed, or in the Manufacture of Flint Glass where the Work of grinding, cutting, and polishing is carried on; and any Child, Young Person, or Woman allowed to take his or her Meals in contravention of the said Provision shall be deemed to be employed in manner contrary to the Provisions of the Factory Acts.

Extension of Provision relating to Ventilation in Factories.

9. In every Factory where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to any Inspector of Factories that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Inspector to direct a Fan or other mechanical Means, of such Construction as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State, to be provided by the Occupier of the Factory within a reasonable Time; and if such Occupier fail to comply with such Direction he shall be deemed to have failed to have kept his Factory in conformity with the Fourth Section of "The Factories Act Extension Act, 1864," and shall be punishable accordingly.

Penalty on not fixing Grindstones securely.

10. If it appears to any Inspector that any Grindstone, worked by Steam or other mechanical Power in any Factory, is fixed in so faulty a Manner as to be likely to cause bodily Injury to the Grinder

Grinder using the same, such Inspector shall take the same Proceedings as nearly as may be as he is required to take by "The Factory Act, 1844," with respect to Machinery not securely fenced; and the Occupier of the Factory shall be liable to the same Penalties for not properly fixing the said Grindstone as he would be liable to under the said Act in respect of any Machinery found to be not properly fenced. Report 4, pp. 11, 12.

11. Every Inspector or Sub-Inspector of Factories shall be furnished with such Certificate of his Appointment as the Secretary of State may direct, and on applying for Admission to any Factory to which this Act applies, such Inspector or Sub-Inspector shall, if required, produce to the Occupier the said Certificate. Inspector or Sub-Inspector to be furnished with Certificate of Appointment.

Every Person who forges or counterfeits any such Certificate, or makes use of any forged, counterfeited, or false Certificate, or falsely pretends to be an Inspector or Sub-Inspector of Factories, shall be guilty of a Misdemeanor, and be liable to be imprisoned for any Period not exceeding Three Months, with or without Hard Labour.

12. One hundred or more Persons shall for the Purposes of this Act be deemed to continue to be employed in any Factory during the Year One thousand eight hundred and sixty-eight and any succeeding Year, if that Number of Persons has during the preceding Year been employed in such Factory for any Period or Periods amounting in the whole to One hundred Days; and in any Proceedings taken by any Inspector or Sub-Inspector of Factories for the Purpose of enforcing this Act, any Premises in or on which a manufacturing Process is carried on shall, until the contrary is proved, be deemed to be a Factory. Rule as to Number of Persons employed to constitute a Factory.

SCHEDULE.

Temporary Modifications.

1. During the First Six Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Eleven Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

2. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children of not less than Twelve Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons exceeding Thirteen Years of Age may be employed in pursuance of the Factory Acts.

3. During the First Twelve Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children, Young Persons, and Women may be employed on Saturdays until Half past Four o'Clock in the Afternoon.

4. So much of the Factory Acts as provides that during any Time allowed for Meals no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on, and that all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, shall not be in force with respect to any Factory to which this Act applies, until the Expiration of Eighteen Months after the First Day of January One thousand eight hundred and sixty-eight.

5. Where the Occupier of any Paper Mill proves to the Satisfaction of One of Her Majesty's Principal Secretaries of State that such Occupier was at the Time of the passing of this Act employing, and had for not less than a Year previously to such passing employed, Young Persons and Women at Night, and further proves that he cannot without a considerable Interval of Time alter his Machinery so as to dispense with such Employment, it shall be lawful for the said Secretary of State, by Order, to authorize the Employment by such Occupier, until some Day not later than the First Day of June One thousand eight hundred and sixty-nine, of Young Persons and Women in such Manner and for such Times as had previously been customary in the said Paper Mill.

6. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Male Young Persons of not less than Sixteen Years of Age may be employed in Blast Furnaces, in Iron Mills, in Iron Foundries, in Paper Mills, and in any Factory where the Manufacture of Machinery or the Processes of Letterpress Printing or Bookbinding

Bookbinding are carried on in the same Manner as if they were Male Persons exceeding the Age of Eighteen Years.

7. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Women may be employed in or about Blast Furnaces in the same Manner as they were employed in or about such Furnaces before the passing of this Act.

8. During the First Thirty Calendar Months next ensuing the First Day of January One thousand eight hundred and sixty-eight, Children, Young Persons, and Women may be employed in the Manufacture of Preserves from Fruit in the same Manner as they were employed therein before the passing of this Act.

PERMANENT MODIFICATIONS.

9. The Twenty-ninth Section of "The Factory Act, 1833," and the Eighteenth Section of "The Factory Act, 1844," relating to the lime-washing and washing of Factories shall not be in force as respects any Factory.

10. No Factory to which this Act applies shall be so overcrowded, while Work is carried on, as to be dangerous or prejudicial to the Health of those employed therein, and so far as relates to any such Factory, this Section shall be construed as Part of the Fourth and Fifth Sections of the Factory Acts' Extension Act, 1864.

11. Whereas the Customs or Exigencies of certain Trades require that Male Young Persons of the Age of Sixteen Years and upwards should be occasionally employed beyond the Hours allowed by the Factory Acts, it shall be lawful for One of Her Majesty's Principal Secretaries of State, on due Proof to his Satisfaction that such Customs or Exigencies exist, and that such occasional Employment is not injurious to the Health of such Male Young Persons, from Time to Time, by Order to be advertised in the London Gazette, or otherwise published in such Manner as he may think fit, to give Permission that in the Case of any particular Factory or Class of Factories Male Young Persons of Sixteen Years of Age and upwards may be employed for a Period not exceeding Fifteen Hours on any One Day:

Provided that—

1st. They are not so employed except between the Hours of Six in the Morning and Nine in the Evening.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They are not so employed for more than Twelve Days in any Period of Four Weeks, nor on the whole for more than Seventy-two Days in any Period of Twelve Months.

12. Whereas the Customs or Exigencies of certain Trades require that the Children, Young Persons, and Women working in a Factory, or in certain Processes in a Factory, or that certain Sets of such Children, Young Persons, or Women, or any of them, should be employed at different Hours, and that the Limits of Time within which they or certain Sets of them may be employed should be extended without increasing their legal Hours of Work: It is hereby declared that on due Proof to the Satisfaction of One of Her

Majesty's Principal Secretaries of State of such Customs or Exigencies existing in a Trade, it shall be lawful for the said Secretary from Time to Time, by Order to be advertised in the London Gazette or otherwise published in such Manner as the Secretary of State may think fit, to give Permission that in the Case of any particular Factory or Class of Factories in which such Trade is carried on the Occupier may employ the Children, Young Persons, and Women working in his Factory, or in any Processes of his Factory, or any Sets of such Children, Young Persons, or Women, or of any of them, between the Hours of Seven in the Morning and Seven in the Evening, or between the Hours of Eight in the Morning and Eight in the Evening, instead of between the Hours of Six in the Morning and Six in the Evening, for any Time in such Order specified, or until further Order, or on any Day or Days named in such Order; and so far as respects the Persons referred to in any Order given as aforesaid, all the Provisions of the Factory Acts affected by such Change of Hours shall, during the Continuance of such Order, be read as if the Hours of Seven in the Morning and Seven in the Evening, or Eight in the Morning and Eight in the Evening, as Circumstances may require, were throughout such Act substituted for the Hours of Six in the Morning and Six in the Evening:

Provided—

1st. That Notice of the Hours between which Children, Young Persons, and Women, or each Set of them, are to be employed, in such Form as the Inspectors of Factories may direct, and signed by One of such Inspectors and the Occupier or his Agent, shall be hung up and be kept hung up during the Period affected by such Notice in such conspicuous Place in the Factory as may be required by One of the Inspectors of Factories.

2dly. Except in pursuance of the Provisions contained in other Parts of this Act, no Child, Young Person, or Woman shall be employed after the Hour of Two o'Clock in the Afternoon on Saturday; but it shall be lawful in Cases where any Children, Young Persons, or Women are employed in accordance with an Order given under the foregoing Enactment to begin to employ such Children, Young Persons, or Women at Six o'Clock in the Morning on Saturday.

13. In Letterpress Printing Male Young Persons of the Age of Sixteen Years and upwards may be employed for a Period not exceeding Fifteen Hours in any One Day.

Provided that—

1st. They shall not be so employed, except between the Hours of Six in the Morning and Nine in the Evening, or in any Factory where Permission has been given by the Secretary of State to work between the Hours of Seven in the Morning and Seven in the Evening, or of Eight in the Morning and Eight in the Evening, then except between the Hours of Seven in the Morning and Ten in the Evening, or of Eight in the Morning and Eleven in the Evening, as the Case may be.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They shall not be so employed except on alternate Days.

4th. In every Week in which they are so employed on each alternate Day they shall be allowed either One whole Holiday or Two Half Holidays, each Half Holiday comprising at least One Half of an ordinary working Day.

In Letterpress Printing Male Young Persons of Sixteen Years of Age and upwards may work on alternate Weeks at Night between the Hours of One in the Morning on Monday and Eleven in the Evening on the succeeding Saturday.

Provided—

1st. That they do not work more than Ten Hours at any One Time.

2d. That there is an Interval of Twelve Hours between each Period of working.

3d. That the total Number of Hours of Work in any One Week do not exceed Sixty Hours.

14. Young Persons of Fourteen Years of Age and upwards and Women may be employed in Bookbinding for a Period not exceeding Fourteen Hours on any One Day.

Provided that—

1st. They shall not be so employed except between the Hours of Six in the Morning and Eight in the Evening, or where Permission has been given by the Secretary of State to work between the Hours of Seven in the Morning and Seven in the Evening, or of Eight in the Morning and Eight in the Evening, then except between the Hours of Seven in the Morning and Nine in the Evening, or Eight in the Morning and Ten in the Evening, as the Case may be.

2d. In addition to the Time allowed under the Factory Acts for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They shall not be so employed—

(*a.*) If less than Sixteen Years of Age, for more than Three Days in any One Month; or

(*b.*) If Sixteen Years of Age or upwards, for more than Ninety-six Days in any Period of Twelve Months, or for more than Five consecutive Days in any One Week.

15. Where, under the Modifications contained in the Schedule to this Act, any Child, Young Person, or Woman is employed on any Day for a longer Period than is allowed by the Factory Acts, the Day on which and the Period during which he or she is so employed shall be entered by the Occupier of a Factory in a Register, which shall be in such Form as the Inspectors of Factories may direct, and shall be deemed to be a Register within the Meaning of the Factory Acts.

16. So much of the said Factory Acts as provide that during any Time allowed for Meals no Child, Young Person, or Woman shall be employed or allowed to remain in any Room in which any manufacturing Process is carried on shall not apply to Iron Mills, to Paper Manufactories, or any Factory in which Letterpress Printing is carried on, or, except as in this Act mentioned, to Glass Manufactories, or to any Factory or Process in a Factory to which the said Secretary of State may by Order declare the same to be inapplicable; and so much of the said Factory Acts as provide that all the Young Persons

employed in a Factory shall have the Time for Meals at the same Period of the Day shall not apply to Blast Furnaces, Iron Mills, to Paper Manufactories, any Factory in which Letterpress Printing is carried on, to Glass Manufactories, or, except as in this Act mentioned, to any Factory, or Process in a Factory, to which the said Secretary of State may by Order declare the same to be inapplicable.

17. In Blast Furnaces, in Iron Mills, in any Factory in which Letterpress Printing is carried on, in Paper Mills, in any Factory in which the mechanical Power is Water, and in any Factory or Class of Factories, with respect to which One of Her Majesty's Principal Secretaries of State certifies by Order that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than Six Nights, or, in the Case of Blast Furnaces, Seven Nights, in any Fortnight.

18. Where in any Blast Furnace, Iron Mill, Foundry, or Paper Mill the Process in which a Child, Young Person, or Woman is employed is in an incomplete State at the Hour at which such Child, Young Person, or Woman is required by this Act to cease Work, such Child, Young Person, or Woman may be employed for a Period not exceeding Thirty Minutes beyond the said Hour.

19. It shall not be necessary to give Notice to the certifying Surgeon of any Accident to a Person employed in any Iron Mill unless the Accident prevents the Person injured from returning to his Work for a Period of Forty-eight Hours from the Time of the Accident. When the Person injured shall have been absent for such Period of Forty-eight Hours, the actual Employer of the Person injured shall immediately report the Absence of such Person to the Occupier of the Factory; and if the Inspector or Sub-Inspector of Factories is satisfied that Notice of an Accident has not been given to the certifying Surgeon, owing to the Default of such actual Employer and not of the Occupier, he shall take Proceedings against such actual Employer instead of against the Occupier.

20. In the Case of any accidental Delay occurring in any Process in any Glass Works, in order to recover the Time so lost, any Male Child or Male Young Person may be employed One Hour more than the Time during which such Child or Young Person might otherwise be employed, provided that the total Number of Hours worked do not exceed Sixty in any One Week.

21. In the Process of making Glass it shall be lawful for any Male Young Person, subject to the Provisions of this Act, to work according to the accustomed Hours of the Trade.

Provided—

1st. That the Hours of Work do not exceed Sixty in any One Week, between 12 a.m. on Monday and 12 p.m. on Saturday Night.

2d. That the Hours of Work for any such Young Person do not exceed Fourteen Hours in Four separate Turns per Week, or Twelve Hours in

in Five separate Turns per Week, or Ten Hours in Six separate Turns per Week.

3d. That no such Young Person work in any Turn without an Interval of Time equal to One full Turn.

22. In Paper Mills it shall be lawful for any Male Young Person of the Age of Sixteen Years and upwards, subject to the Provisions of this Act, to work according to the accustomed Hours of the Trade.

Provided—

1st. That the Hours of Work do not exceed Sixty in any One Week, between the Hours of Twelve in the Morning on Monday and Twelve in the Evening on Saturday Night.

2d. That they shall be allowed Half an Hour for a Meal in addition to the Time allowed under the Factory Acts for Meals.

3d. That the Hours of Work for any such Young Persons do not exceed Fourteen Hours, and that after each such Period of Work there shall be an Interval of Rest of not less than Ten Hours.

23. So much of the said Factory Acts as require that in England and Ireland Male Young Persons must have Eight Half Holidays in every Year, in addition to Christmas Day and Good Friday, and in Scotland any Day wholly set apart for the Observance of the Sacramental Fast, and so much of the same Acts as forbid the Employment of Male Young Persons on any Saturday after Two o'Clock of the Afternoon, shall not apply to Male Young Persons employed in Day and Night Turns, changing every alternate Week, nor in any Week to any Woman or Female Young Person whose regular Hours of Work have not exceeded Eight in any One Day of that Week.

24. Where it appears to One of Her Majesty's Principal Secretaries of State that the Regulations of the Factory Acts relating to the fencing of Machinery require to be modified in any particular Trade, and that such Modifications can be made with due regard to the Safety of the Children, Young Persons, and Women employed, he may, by Order with respect to any particular Factory or any Class of Factories, modify the said Regulations, so far as such Trade is concerned, upon such Terms and in such Manner as he thinks fit. Such Order shall be advertised in the London Gazette or otherwise published in such Manner as the Secretary of State may think fit. Any Regulations so modified by the said Secretary of State shall be of the same Validity as if they had been the original Regulations contained in the Factory Acts.

25. The said Secretary of State, on Proof to his Satisfaction that the Customs or Exigencies of the Trade require the Alteration to be made, may, by Order to be advertised in the London Gazette, or otherwise published in such Manner as the Secretary of State may think fit, give Permission, with respect to any particular Factory or Class of Factories, for any One or more of the following Things; namely,—

(*a.*) That Four whole Holidays in any Year may be allowed as a Substitute for the Eight Half Holidays required to be given to every Child, Young Person, and Woman by the Factory Acts; or,

(*b.*) That the Eight Half Holidays required to be given by the Factory Acts to all the Children, Young Persons, and Women employed may be given on different Days to any of the Children, Young Persons, and Women, or to any Sets of such Children, Young Persons, and Women, and not at the same Time; or,

(*c.*) That Children, Young Persons, or Women may be employed between Two and Eight o'Clock in the Afternoon on Saturday, provided that in any such Factory or Factories Arrangements are made to the Satisfaction of the said Secretary of State for giving on some Work-day in every Week, to any Child, Young Person, or Woman employed, a Half Holiday of equal Length either at the Beginning or at the End of their Day's Work; or,

(*d.*) That in any Factory or Factories where such Secretary has given Permission to work between the Hours of Seven in the Morning and Seven in the Evening, or of Eight in the Morning and Eight in the Evening, Children, Young Persons, and Women may be employed on Saturday, or on any other Day on which the weekly Half Holiday is given, between the Hours of Seven in the Morning and Three in the Afternoon, or between Eight in the Morning and Four in the Afternoon; or,

(*e.*) That a Surgical Certificate given by a certifying Surgeon shall not be invalid solely on account of the Employment of the Child or Young Person named in such Certificate in a Factory other than that for which the Certificate was originally granted, if such Factory is within the District of the same certifying Surgeon.

26. Where the Occupier of any Workshop is a Person of the Jewish Religion, and it is his Custom to keep such Workshop closed on Saturdays until Sunset, it shall be lawful for him to employ Young Persons or Women on that Day from after Sunset until Nine o'Clock at Night.

27. Where in any Factory the Owner or Hirer of any Machine or Implement moved by Steam, Water, or other mechanical Power, in or about or in connexion with which Machine or Implement Children, Young Persons, or Women are employed, is some Person other than the Occupier of the Factory, and such Children, Young Persons, or Women are in the Employment and Pay of the Owner or Hirer of such Machine, in any such Case such Owner or Hirer shall, so far as respects any Offence against the Factory Acts which may be committed in relation to such Children, Young Persons, or Women, be deemed to be the Occupier of the Factory.

Factory Acts Extension.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

For the Extension of the Factory Acts.

(*Prepared and brought in by*
Mr. Secretary Walpole, Lord John Manners,
and Sir John Pakington.)

Ordered, by The House of Commons, *to be Printed,*
9 *July* 1867.

[Bill 236.]

Under 2 oz.

A

BILL

TO

Appropriate a Portion of the Income of the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of Saint Paul, London, for the Relief of Spiritual Destitution in the Metropolis.

WHEREAS the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of Saint Paul, London, formerly consisted of Land of inconsiderable Value in the City of London, which was let on a long Lease to the Lord Mayor, Aldermen, and Commons of the said City: Preamble.

And whereas, in consequence of the great Extension of the Metropolis around the said City, the said Land was built upon, and has become covered with numerous Houses of great Value:

And whereas on the Suppression of the Prebend of Finsbury the said Estate became vested in the Ecclesiastical Commissioners for England as Part of their Common Fund:

And whereas the said Lease to the Corporation of London is about to expire, and the said Estate will then yield an annual Income, in addition to that already derived therefrom by the Commissioners, exceeding Forty thousand Pounds a Year:

And whereas in consequence of the wealthier Part of the Community being congregated in certain Parts of the Metropolis, and those who live by their Labour and the poorer Portion of the Community being congregated together in other Parts, there is great Spiritual Destitution in the Metropolis; but by reason of the said Estate being situate in one Parish, and such Destitution existing in others, sufficient Relief will not be afforded by the Commissioners for such Destitution as a local Claim:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners to set apart One Moiety of said Finsbury Estate, to be carried to an Account to be called "The Metropolitan Curates Fund."

1. The Commissioners shall henceforth set apart *One Moiety* of the net annual Rents and Profits of the Estate lately belonging to the Prebend of Finsbury, in Saint Paul's, London, and now vested in the Commissioners, and carry such Moiety to a separate Account, to be called the Metropolitan Curates Fund, and to be appropriated and paid as herein-after provided.

Bishop of Diocese to submit Proposals for Appointment of Curates to Commissioners.

2. The Bishop of the Diocese shall submit to the Commissioners from Time to Time Proposals for the Appointment of Curates for the Purpose of ministering to the Spiritual Wants of the People in any Parish or District of the Metropolis requiring such Ministration, and unless the Commissioners shall deem such Curates unnecessary they shall adopt such Proposals.

Upon Adoption of Proposal, Incumbent to nominate Curate.

3. Upon the Adoption of any Proposal the Incumbent of the Parish or District to which it relates shall nominate a Curate or Curates to be appointed in pursuance thereof, for the Approval of the Bishop of the Diocese, who, on being satisfied in his Discretion of the Fitness and Efficiency of the Curate, shall confirm such Nomination; and a new Nomination shall in like Manner be made and confirmed when and as often as any Vacancy may occur in a Curacy under any Proposal; and any Curate shall be removable at the Discretion of the Incumbent or of the Bishop by whom the Nomination shall have been made or confirmed.

Proposal may after Adoption be annulled.

4. If at any Time after a Proposal shall have been adopted by the Commissioners they shall be of opinion that the same is no longer necessary, they shall be at liberty to annul the same, and thereupon any Nomination made thereunder shall cease to have Effect.

5. The

Commissioners to pay Stipends to Curates appointed under Act.

5. The Commissioners shall pay to each Curate appointed under this Act a Stipend at and after the Rate of *Two hundred Pounds* a Year, on his producing at least once in every Year a Certificate, to be granted without Fee, from the Bishop of the Diocese, that such Curate has faithfully discharged his Duty.

Surplus may be applied to other local Claims.

6. In case the Moneys standing to the Credit of the said Account shall be more than sufficient to pay the Salaries of Curates nominated under this Act, the Residue of such Moneys shall be applied for such other local Claims within the Metropolis as the Commissioners shall deem necessary.

Interpretation.

7. "The Metropolis" shall be deemed to be the Metropolis as defined by the Metropolis Local Management Act, 1855; and the Term "Commissioners" shall mean the Ecclesiastical Commissioners for England.

Finsbury Estate.

A

BILL

To appropriate a Portion of the Income of the Estate lately belonging to the Prebend of Finsbury, in the Cathedral Church of St. Paul, London, for the Relief of Spiritual Destitution in the Metropolis.

(*Prepared and brought in by Mr. Ayrton and Mr. Locke.*)

Ordered, by The House of Commons, *to be Printed*, 6 *February* 1837.

[Bill 1.]

Under 1 *oz.*

A

BILL

TO

Amend an Act of the Twenty-eighth and Twenty-ninth Years of Her present Majesty, Chapter Sixty-one, for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal.

WHEREAS by an Act of the Session of the Twenty-eighth and Twenty-ninth Years of the Reign of Her present Majesty it is amongst other things enacted, that such Sum or Sums as may be paid out of the Consolidated Fund, or the growing Produce thereof, as in the said Act mentioned, shall be applied as mentioned in the Schedule to that Act towards defraying the Expense incurred or to be incurred in constructing Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at Hawlbowline and the Fortifications at Dover and Portland, and in purchasing the Land and Rights in Land that

28 & 29 Vict. c. 61.

may be required for the Purpose of such Fortifications and Works, and that the Commissioners of Her Majesty's Treasury shall apply such Sums accordingly; and by the said Act it is provided, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule to the said Act, nor to apply to any Work any greater Sum than that which is set down in such Schedule as the total estimated Cost of the Work:

And whereas it is found necessary and expedient to alter and amend the said Act with reference to the Sums of Money to be expended on the several Works mentioned in the Schedule to the said Act:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Enactment repealed.

1. The above-mentioned Enactment of the said Act shall be and the same is hereby repealed.

Application of Monies.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as in the said recited Act mentioned, shall be applied, as mentioned in the Schedule to this Act, towards defraying the Expenses incurred or to be incurred in constructing the Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at Hawlbowline, and the Fortifications at Dover and Portland), and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works, and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule to this Act, nor to apply to any Work any greater Sum than that which is set down in that Schedule as the total estimated Cost of the Work.

SCHE-

SCHEDULE.

Station.	District.	Name of Work.	Estimated Cost in Schedule of 28 & 29 Vict. c. 61.	Revised Estimate sanctioned by this Enactment.
			£	£
Portsmouth -	Spithead and Sea Defences:			
	Outer Line -	Horse Sand Fort - -	260,000	365,000
		No Man's Land - -	290,000	406,000
		Other Spithead Work -	310,000	293,000
		Puckpool and St. Helen's Batteries.	87,000	145,000
	Inner Line -	Gilkicker Battery - -	50,000	58,000
		Southsea Castle - -	55,000	60,000
		Eastney Batteries - -		
		Lumps Battery - - -		
	Defences of Needles Passage.	Hurst Castle - - -	108,000	110,000
		Needles Battery - -	80,000	90,000
		Hatherwood - - -		
		Warden Point - -		
		Cliff End - - - -		
		Golden Hill - - -		
	Isle of Wight: Coast Defences	Sandown Bay Defences -	140,000	145,000
		Military Road and Posts for Defence of South-west Coast		
	Land Defences: Outer Line -	Fort Purbrook and Out-works	535,000	550,000
		Fort Widley - - -		
		Fort Southwick - -		
		Fort Nelson - - -		
		Fort Wallington - -		
		Fort Fareham - - -		
	Inner Line -	Hilsea Lines - - -	308,000	318,000
		Fort Grange - - -		
		Fort Rowner - - -		
		Fort Brockham - - -		
		Stokes Bay Lines - -		
Plymouth -	Harbour Defences: Outer Line -	Staddon Point Battery -	60,000	60,000
		Breakwater Battery - -	145,000	155,000
		Picklecombe Battery - -	80,000	87,000
		Cawsand Bay - - -	13,000	13,000
	Inner Line -	Mount Edgecumbe Battery -	47,000	47,000
		Drake's Island Battery -		
		Western King Battery -		
		Eastern King Battery - -		
	Land Defences: Antony -	Fort Tregantle - - -	260,000	260,000
		Fort Scraesdon - -		
	Maker - -	Knatterbury - - -	35,000	15,000
		Whitesand Bay - - -		
		Maker Barrack - -		
	N.E. Division	North-eastern Defences -	350,000	518,000
	Staddon Fort -	Staddon Fort - - -	168,000	
		Fort Stamford - -		
	Devonport -	Devonport Lines - -	10,000	10,000

Station.	District.	Name of Work.	Estimated Cost in Schedule of 28 & 29 Vict. c. 61.	Revised Estimate sanctioned by this Enactment.
			£	£
Pembroke -	Milford Haven: Sea Defences -	Stack Rock Fort - -		
		South Hook Battery - -		
		Hubberstone Battery - -	216,000	225,000
		Popton Battery - -		
		Chapel Bay Battery - -		
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	50,000
		Works to Southward of Milford Haven.	80,000	50,000
Portland -	Portland - -	Verne Citadel and Batteries connected therewith.	120,000	125,000
		Nothe Fort - - -	87,000	90,000
		Breakwater Batteries - -	145,000	205,000
Gravesend -	Thames - -	Coalhouse Fort - -	90,000	164,000
		Cliffe Fort - - -	80,000	121,000
		Shornmead - - -	80,000	118,000
		Slough Battery - -	20,000	23,000
Medway and Sheerness.	Sea Defences	Isle of Grain - - -	180,000	227,000
		Garrison Point - -		
		Hoo Fort - - -	109,000	128,000
		Darnet Fort - - -		
	Works in front of Mile Town.	Works in front of Mile Town	40,000	40,000
Chatham -	*Eastern* - -	*Eastern Defences* - -	500,000	—
Dover -	Dover - -	Castle Hill Fort - -		
		Dover Castle - - -	278,000	285,000
		Western Heights - -		
Cork -	Cork - -	Spike Island Defences -	10,000	10,000
		Carlisle Fort - - -	79,000	79,000
		Camden Fort - - -	70,000	70,000
		Total Works -	5,625,000	5,715,000
Incidental Expenses (Works and Experiments) - - - -			140,000	165,000
Site for Central Arsenal - - - - - - -			150,000	—
Lands, including Cost of Surveys, Surveyors Charges, legal and other incidental Expenses - - - - - - - -			1,080,000	1,115,000
		Total £	6,995,000	6,995,000

NOTE.—The Lines in Italics and the Estimated Cost in Schedule of 28 & 29 Vict. c. 61. proposed to be struck out in Committee.

Fortifications (Provision for Expenses).

A

BILL

To amend an Act of the Twenty-eighth and Twenty-ninth Years of Her present Majesty, Chapter Sixty-one, for providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal.

(*Prepared and brought in by Sir John Pakington and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 2 *April* 1867.

[Bill 104.]

Under 1 *oz.*

Fortifications (Provision for Expenses) (No. 2.) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. The Sum of 800,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.
2. Appropriation of the Money so issued to the Expenses of constructing Fortifications.
3. Treasury to raise 800,000*l.* by creating Annuities for a Term not exceeding Thirty Years.
4. Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.
5. Power to Guardians, &c. to subscribe for Infants.
6. Time at which Annuities may be transferred.
7. Contributors may anticipate Payments.
8. Annuities payable, &c. at the Bank.
9. Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.
10. Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.
11. Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.
12. The Money paid into the Exchequer to form Part of the Consolidated Fund.
13. A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.
14. As to Subscriptions paid in part, and not completed, forfeited.

15. Annuities to be deemed Personal Estate.

16. Accountant General to keep Books for entering Transfers. No Stamp Duties to be charged on Transfers.

17. Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

18. Allowance to Bank of England for the Expense of Management.

19. Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

20. Accounts to be laid before Parliament.

21. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

22. Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

A

B I L L

FOR

Providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland.

Most Gracious Sovereign,

Preamble.

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, having further considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of Dover and Portland, have cheerfully granted to Your Majesty the further Sum of *Eight hundred thousand Pounds*, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of *Eight hundred thousand Pounds* be raised by such Terminable Annuities as hereinafter mentioned, and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most

most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 800,000*l.* to be issued out of the Consolidated Fund towards Expenses after mentioned.

1. Towards defraying the Expenses herein-after mentioned, any Sum or Sums, not exceeding in the whole the Sum of *Eight hundred thousand Pounds*, shall be issued and applied out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications.

2. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as aforesaid, shall be applied as mentioned in the Schedule to this Act towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom (including the Naval Establishment at Haulbowline), and the Fortifications at Dover and Portland, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications and Works; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly: Provided always, that it shall not be lawful to apply any of such Sums to any Work not specifically named in the Schedule, nor to apply to any Work any greater Sum than that which is set down in the Schedule as the total estimated Cost of the Work.

Treasury to raise 800,000*l.* by creating Annuities for a Term not exceeding Thirty Years.

3. To provide for the Issues to be made out of the Consolidated Fund or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or from Time to Time after the passing of this Act, to raise any Sum or Sums not exceeding in the whole the Sum of *Eight hundred thousand Pounds* as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of *Eight hundred thousand Pounds* it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-

half-yearly by equal Payments on the *Fifth Day of April* and the *Tenth Day of October.*

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.* and Terms of Payment of Subscription.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of *Eight hundred thousand Pounds*, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of England to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the first half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

Power to Guardians, &c. to subscribe for Infants.

5. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Time at which Annuities may be transferred.

6. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors or Assigns, in respect of any Portion of the said Sum of *Eight hundred thousand Pounds*, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of England; and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of England to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate whatsoever, in the Books of the Bank of England (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of England are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Contributors may anticipate Payments.

7. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof, in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Annuities payable, &c. at the Bank.

8. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of England.

9. So

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.

9. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the said Cashier or Cashiers of the Governor and Company of the Bank of England, as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon and are hereby charged upon and made payable out of the said Consolidated Fund.

Bank of England to appoint a Cashier and an Accountant General, and Treasury to order Money to be issued to the Cashier for Payment of Annuities.

10. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of England and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of London to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of England, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

11. The Cashier or Cashiers of the Governor and Company of the Bank of England who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of *Eight hundred thousand Pounds* shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively;

tively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of *Eight hundred thousand Pounds*, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within *Five Days* afterwards at the furthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

The Money paid into the Exchequer to form Part of the Consolidated Fund.

12. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of *Eight hundred thousand Pounds*, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

13. In the Office of the Accountant General of the Governor and Company of the Bank of England for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of *Eight hundred thousand Pounds*, which may be raised under this Act, shall be fairly entered, which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate fairly written on Paper of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

As to Subscriptions paid in part, and not completed, forfeited.

14. In case any such Contributors to any Portion of the Sum of *Eight hundred thousand Pounds* which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums

so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

15. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of London or otherwise.

Accountant General to keep Books for entering Transfers.

16. Books shall be constantly kept by the said Accountant General for the Time being wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

No Stamp Duties to be charged on Transfers.

Power to Treasury to add Annuities created under this Act to Stock of existing Terminable Annuities of like Duration.

17. Provided, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of *Eight hundred thousand Pounds*, to contract and provide that all or any of the Terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the Terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any Terminable Annuities transferable at the Bank of England, and charged on the Consolidated Fund, by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days, as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and Form Part of the Joint Stock of the previously existing Annuities accordingly.

Allowance to Bank of England for the Expense of Management.

18. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of England of the Sum of *Six hundred Pounds* for the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary of State for War.

19. The Fortifications and Works, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications and Works shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

20. The Commissioners of Her Majesty's Treasury shall in the Month of July in the Year *One thousand eight hundred and sixty-eight*, and in every subsequent Year in which any Part of the said Sum of *Eight hundred thousand Pounds* shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an account of the Monies raised under this Act up to the First Day of April preceding, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of *Eight hundred thousand Pounds* charged on that Fund under this Act up to the First Day of April, specially showing the Works or Purposes for or in respect of which the Monies may have been applied, and showing the Amount, if any, which may remain to be raised of the said Sum of *Eight hundred thousand Pounds* authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of *Eight hundred thousand Pounds* charged on the said Consolidated Fund; and every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within *Fourteen Days* after the next meeting of Parliament.

Persons counterfeiting Receipts

21. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any

any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of England, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than *Three Years*, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding *Two Years*.

for Contributions, &c. guilty of Felony.

22. The said Governor and Company of the Bank of England and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

Bank to continue a Corporation till the Annuities hereby granted cease.

SCHEDULE.

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1867.	Amount already voted.	Amount proposed 1867–8.	Further amount to complete.
			£	£	£	£	£
Portsmouth	Spithead and Sea Defences: Outer Line	Horse Sand Fort	365,000	239,246	308,000	*100,000*	656,000
		No Man's Land	406,000				
		Other Spithead Work	293,000				
		Puckpool and St. Helen's Batteries.	145,000	46,738	52,000	*25,000*	68,000
	Inner Line	Gilkicker Battery	58,000	24,100	30,000	*15,000*	13,000
		Southsea Castle	60,000	46,210	55,000	*5,000*	—
		Eastney Batteries					
		Lumps Battery					
	Defences of Needles Passage.	Hurst Castle	110,000	78,985	93,000	*7,000*	10,000
		Needles Battery	90,000	52,609	73,000	*7,000*	10,000
		Hatherwood					
		Warden Point					
		Cliff End					
		Golden Hill					
	Isle of Wight: Coast Defences	Sandown Bay Defences	145,000	127,230	140,000	*5,000*	—
		Military Road, South-west Coast.					
	Land Defences: Outer Line	Fort Purbrook and Outworks.	550,000	473,078	503,000	*27,000*	20,000
		Fort Widley					
		Fort Southwick					
		Fort Nelson					
		Fort Wallington					
		Fort Fareham					
	Inner Line	Hilsea Lines	318,000	263,978	308,000	*5,000*	5,000
		Fort Grange					
		Fort Rowner					
		Fort Brockham					
		Stokes Bay Lines					
Plymouth	Harbour Defences: Outer Line	Staddon Point Battery	60,000	30,765	50,000	*5,000*	5,000
		Breakwater Battery	155,000	80,751	100,000	*45,000*	10,000
		Picklecombe Battery	87,000	48,764	65,000	*15,000*	7,000
		Cawsand Bay	13,000	12,944	13,000	—	—
	Inner Line	Mount Edgecumbe Battery	47,000	36,892	47,000	—	—
		Drake's Island Battery					
		Western King Battery					
		Eastern King Battery					
	Land Defences: Antony	Fort Tregantle	260,000	238,429	260,000	—	—
		Fort Scraesdon					
	Maker	Knatterbury	15,000	14,685	15,000	—	—
		Whitesand Bay					
	N.E. Division	North-eastern Defences	518,000	316,890	383,000	*84,000*	51,000
	Staddon Fort	Staddon Fort					
		Fort Stamford					
	Devonport	Devonport Lines	10,000	9,676	10,000	—	—

Station.	District.	Name of Work.	Estimated Cost.	Expended to 31st March 1867.	Amount already voted.	Amount proposed 1867–8.	Further Amount to complete.
			£	£	£	£	£
Pembroke -	Milford Haven: Sea Defences -	Stack Rock Fort - -	225,000	182,268	212,000	*10,000*	3,000
		South Hook Battery -					
		Hubberstone Battery -					
		Popton Battery - -					
		Chapel Bay Battery -					
	Land Defences	Fort Scoveston (North of Milford Haven).	50,000	33,101	46,000	*4,000*	—
		Works to Southward of Milford Haven.	50,000	—	25,000	*5,000*	20,000
Portland -	Portland - -	Verne Citadel and Batteries connected therewith.	125,000	114,035	117,000	*5,000*	3,000
		Nothe Fort - -	295,000	160,731	179,000	*41,000*	75,000
		Breakwater Batteries -					
Gravesend -	Thames - -	Coalhouse Fort - -	164,000	48,985	65,000	*35,000*	64,000
		Cliffe Fort - - -	121,000	39,427	60,000	*30,000*	31,000
		Shornmead - -	118,000	32,566	55,000	*25,000*	38,000
		Slough Battery - -	23,000	20,587	20,000	*3,000*	—
Medway and Sheerness.	Sea Defences -	Isle of Grain -	227,000	182,050	170,000	*40,000*	17,000
		Garrison Point - -					
		Hoo Fort - - -	128,000	74,609	74,000	*30,000*	24,000
		Darnet Fort - -					
	Works in front of Mile Town.	Works in front of Mile Town.	40,000	18,627	25,000	*5,000*	10,000
Dover -	Dover - -	Castle Hill Fort - -	285,000	265,639	275,000	*5,000*	5,000
		Dover Castle - -					
		Western Heights -					
Cork -	Cork - -	Spike Island Defences -	10,000	4,056	8,000	*1,000*	1,000
		Carlisle Fort - -	79,000	23,870	49,000	*6,000*	24,000
		Camden Fort - -	70,000	24,587	45,000	*5,000*	20,000
		Total Works -	5,715,000	3,367,108	3,930,000	*595,000*	1,190,000
Providing and fixing Iron Shields - - - -			475,000	—	—	*150,000*	325,000
Incidental Expenses (Works and Experiments) - - -			165,000	141,501	140,000	*20,000*	5,000
Lands, including Cost of Surveys, Surveyors Charges, legal and other incidental Expenses - - - - -			1,115,000	1,072,024	1,080,000	*35,000*	—
		Total £	7,470,000	4,580,633	5,150,000	*800,000*	1,520,000

	£
Provided for by 23 & 24 Vict. c. 109. - - -	2,000,000
Provided for by 25 & 26 Vict. c. 78. - - -	1,200,000
Provided for by 26 & 27 Vict. c. 80. - - -	650,000
Provided for by 27 & 28 Vict. c. 109. - - -	650,000
Provided for by 28 & 29 Vict. c. 61. - - -	650,000
Total of this Enactment - - - - -	800,000
Total of the Six Enactments - - -	£ 5,950,000

Fortifications (Provision for Expenses) (No. 2.)

A

BILL

For providing a further Sum towards defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland.

(*Prepared and brought in by Mr. Dodson, Sir John Pakington, and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed*, 26 *July* 1867.

[Bill 285.]

Under 2 *oz.*

A

BILL

TO

Include the whole of the Burgh of Galashiels within the Jurisdiction of the Sheriff and Commissary of Selkirkshire.

WHEREAS the Town or Burgh of Galashiels is situated partly within the Jurisdiction of the Sheriff of Selkirkshire, and partly within the Jurisdiction of the Sheriff of Roxburghshire, and great Inconvenience has thence arisen: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The whole Territory contained within the Boundaries of the Town or Burgh of Galashiels, as the same have been fixed and defined under the General Police and Improvement (Scotland) Act, 1862, or as the same may be hereafter fixed and defined under the said Act, or by or under any other Act, and whether the said Territory shall heretofore have been locally situated within the County of Selkirk or the County of Roxburgh, shall *from and after the passing of this Act* be held to be and be for all Purposes whatsoever, Town of Galashiels to be wholly in Selkirkshire.

whatsoever, except in so far as herein-after provided, Part of the County, Sheriffdom, and Commissariot of Selkirk.

Not to affect Taxation, or the Right of voting for Members of Parliament.

2. For all Purposes of the Acts regulating the Valuation of Lands and Heritages and the Registration of Voters the Lands and Heritages within the Territory specified in the First Section hereof shall continue to be and shall be deemed to be within the County or Sheriffdom in which they were severally locally situated before the passing of this Act, and nothing herein contained shall affect any Right of levying and recovering, or any Obligation to pay, any Tax, Rate, or Impost, or the Right of being registered as a Voter or of voting for a Representative in Parliament.

Galashiels Jurisdiction.

A

BILL

To include the whole of the Burgh of Galashiels within the Jurisdiction of the Sheriff and Commissary of Selkirkshire.

(*Prepared and brought in by Sir Graham Montgomery and Mr. Secretary Gathorne Hardy.*)

Ordered, by The House of Commons, *to be Printed*, 8 *July* 1867.

[Bill 234.]

Under 1 *oz.*

A

BILL

TO

Authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the Galway Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for other Purposes.

WHEREAS, with the Consent and Approbation of the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland (herein-after called "the Commissioners of Her Majesty's Treasury"), the Commissioners of Public Works in Ireland (herein-after called "the Commissioners of Public Works"), in and since the Year One thousand eight hundred and thirty-two advanced out of the Consolidated Fund, under the Authority of the Acts (Public) of Forty-eighth George the Third, Chapter One, the Fifty-seventh George the Third, Chapter Thirty-four, and First and Second William the Fourth, Chapter Thirty-three, certain Sums of Money, amounting in the whole to the Sum of Twenty-four thousand Pounds, to the Galway Harbour Preamble.

Harbour Commissioners and their Successors, for the Purpose of constructing a Floating Dock together with other Works for the Improvement of the Port and Harbour of Galway, and such Sums were advanced on the Security of certain Indentures of Mortgage of the Rates, Tolls, and Duties authorized to be levied from Time to Time in the Port of Galway under the Authority of the Acts therein recited, and also upon the further Security of certain Lands and Premises therein mentioned and conveyed:

And whereas there is a Sum of Twenty-one thousand Pounds and upwards now remaining due, including Interest, to the Commissioners of Public Works, in respect of such Advances (after deducting the Payments annually made in respect of Principal and Interest), and the said Commissioners of Public Works are now, and have been for some Years, in receipt as Mortgagees in Possession of the Rates, Tolls, and Duties levied in the said Harbour, and of the Rents and Profits of said Premises, for the Purpose of securing the Repayment of the Principal and Interest due as aforesaid:

And whereas the Rates, Tolls, and Duties heretofore payable in respect of the said Floating Dock and Works have not only proved insufficient for the Repayment of the Principal Sum and Interest, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour of Galway:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said Galway Harbour Commissioners to make certain Repairs to the Piers and Quays of said Harbour, and in other respects to improve the same, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt:

And whereas Bernard Mullins and John M'Mahon did in Michaelmas Term One thousand eight hundred and forty-seven recover a Judgment against the said Galway Harbour Commissioners for the Sum of Three thousand five hundred Pounds, with Costs, the entire of which said Judgment Debt, together with Interest thereon, is still due and owing by the said Galway Harbour Commissioners:

And whereas the Grand Jury of the County of the Town of Galway, in consideration of the said Debt due to said Commissioners of Public Works being compounded, have agreed that a Guarantee to the Extent herein-after mentioned should be granted, chargeable on the rateable Property within the County of the Town of Galway, in aid of any Deficiency to pay the Annuity herein-after created, to pay off the Judgment Debt now due to the Representatives of Bernard Mullins and John M'Mahon, with Interest and Costs:

And

And whereas it is expedient that said Arrangements should be authorized:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Galway "Harbour (Composition of Debt) Act, 1867."

Commencement.

2. This Act shall commence and take effect from and immediately after the passing of the same.

Interpretation: "Commissioners of Treasury:"

"Galway Harbour Commissioners:"

"Commissioners of Public Works:"

"Harbour Rates."

3. In this Act—

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being:

The Term "the Galway Harbour Commissioners" means the Galway Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the Galway Harbour and Port Act, 1853:

The Term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland for the Time being:

The Term "Harbour Rates" includes all Rates, Tolls, and Duties leviable from Time to Time in the Port and Harbour of Galway.

Power to Treasury to compound Debt.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any Two or more of such Commissioners, in the Form of the Schedule (B.) to this Act annexed, to compound the said Debt of Twenty-one thousand Pounds and upwards now remaining due to the Commissioners of Public Works as aforesaid by the Galway Harbour Commissioners as follows, viz., that the said Debt shall be assumed to be and shall be taken at the Sum of *Ten thousand Pounds*.

Mode of Payment of compounded Debt.

5. The said Sum of *Ten thousand Pounds* shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge calculated at the Rate of *4·0729* per Centum, Principal and Interest, same to be paid by half-yearly Instalments, for a Period of *Fifty Years*, on every First Day of May and First Day of November in each Year, commencing on whichever of said Gale Days shall first follow the passing of this Act, said Annuity to be

chargeable and charged upon the Harbour Rates, and upon all Lands and Property of the Galway Harbour Commissioners, of what Nature and Kind soever.

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument, to be executed in the Forms in the Schedules to this Act annexed, such additional Terms, Conditions, and Agreements as the Commissioners of Her Majesty's Treasury may think proper to require and insert therein; and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect to all Intents and Purposes as if the same had been contained in this Act.

Harbour Commissioners may borrow Money for improving Port and constructing a Graving Dock.

7. It shall be lawful for the Public Works Loan Commissioners, after the Execution of the said Deeds or Instruments, at any Time to lend to the Galway Harbour Commissioners any Sum or Sums of Money not exceeding in the whole the Sum of *Seventeen thousand Pounds* by way of an Annuity or Annuities or otherwise, in accordance with the Provisions of "The General Pier and Harbour Act, 1861," for the Purpose of enabling the Galway Harbour Commissioners to improve the said Port and to construct a Graving Dock, and it shall be lawful for the Galway Harbour Commissioners to make such Improvements in the said Port, and to construct such Dock, and to take Land by Agreement for that Purpose; provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to the Board of Trade; and on the said Board granting a Certificate in Writing from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Commissioners of Public Works may advance to the Galway Harbour Commissioners the Sums stated in such Certificates respectively, not exceeding in the whole the Sum of *Seventeen thousand Pounds*, and such Sum or Sums so advanced from Time to Time, or the Annuity or Annuities granted for the same, shall be a First Charge on the Harbour Rates authorized to be levied in the Port and Harbour of Galway, in priority to the said Annuity payable in respect of the said Sum of *Ten thousand Pounds* as aforesaid.

Proceedings for Recovery of Annuity.

8. If Default shall be made in Payment of any of the said Annuities or Rentcharges as herein-before provided, it shall be lawful for the Commissioners of Public Works to proceed for the Recovery thereof by all or any of the Means provided for the Recovery

Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second William the Fourth, Chapter Thirty-three, intituled "An Act for the Ex- "tension and Promotion of Public Works in Ireland," in like Manner in all respects as if the said Harbour Rates or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

Court of Chancery may appoint a Receiver of Rates.

9. And it shall also be lawful for the Court of Chancery in Ireland, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Harbour Rates, and of the Rents and Profits of all Lands and Premises the Property of the said Harbour Commissioners; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said Galway Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Harbour Rates; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

10. It shall be lawful for the said Commissioners of Public Works, out of the said Harbour Rates, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them or any Officer or Servants employed by them in the Execution of this Act.

Mode of Payment of Debt to Representatives of B. Mullins and John M'Mahon.

11. The said Judgment Debt of Three thousand five hundred Pounds so due as aforesaid to the Representatives of the said Bernard Mullins and John M'Mahon, and all Interest and Costs in respect thereof, shall be computed at the Sum of , and shall be converted into an Annuity terminable in Years, the Interest thereof to be calculated at the Rate of per Centum, such Annuity to be payable by half-yearly Instalments on and from the Day of the Date of the passing of this Act. Said Sum of Pounds, or the Annuity granted for the same, shall be a Charge on the said Harbour Rates, and upon all other Property of the said Harbour Commissioners, next in priority after said Sums of Seventeen thousand Pounds and Ten thousand Pounds respectively, or the Annuity or Annuities granted in respect of said Sums respectively.

If Rates insufficient for Payment of Annuity, Presentment to be made.

12. If the net Harbour Rates and yearly Revenue arising from the Property of the said Galway Harbour Commissioners shall be insufficient to pay the said last-mentioned Annuity granted in respect of said Sum of Pounds so due to the Representatives of the said Bernard Mullins and John M'Mahon as aforesaid, a Sum of Money shall be presented and contributed by the County of the Town of Galway in aid of such Deficiency, by a Rate on all rateable Property situate within the County of the Town of Galway assessed to the Relief of the Poor, and according to the Poor Law Valuation for the Time being in force within the said County of the Town, and to be paid and borne in the same Proportion and in like Manner as Poor Rates are paid and borne by Persons liable thereto within the said County of the Town.

Public Act.

13. This Act shall be a Public Act, and shall be judicially taken notice of.

The

The SCHEDULES herein referred to.

SCHEDULE (A.)

Form of Grant of Annuity.

Grant Annuity, £ .

By virtue of the Powers of the "Galway Harbour (Composition of Debt Act), 1867," we, the Galway Harbour Commissioners, in consideration of the Sum of Ten thousand Pounds accepted by the Commissioners of Her Majesty's Treasury in lieu of the Sum of Twenty-one thousand Pounds, do grant unto the said Commissioners of Her Majesty's Treasury an Annuity or yearly Sum of Pounds, to be issuing out of the Harbour Rates, payable under the "Galway Harbour and Port Act, 1853," and "Galway Harbour Act, 1860," and upon all Lands and Property of the said Harbour Commissioners, such Sum to be paid to the Commissioners of Public Works or any Person duly authorized by them in half-yearly Instalments on the Day of in 186 and on the Day of and on the Day of , and in every succeeding Year, until the said Sum of Ten thousand Pounds and Interest thereon be duly paid.

In witness whereof we have hereunto set our Common Seal, this Day of 186 .

SCHEDULE (B.)

The Commissioners of Her Majesty's Treasury do hereby acknowledge, that in accordance with the Terms of "The Galway Harbour (Composition of Debt) Act, 1867," they do hereby accept the Sum of Ten thousand Pounds secured to them by the Annuity granted to them under the Authority of that Act by the Galway Harbour Commissioners, charged on the Harbour Rates to be levied under the "Galway Harbour and Port Act, 1853," and "Galway Harbour Act, 1860," and upon all Lands and Property of the said Harbour Commissioners, in full Satisfaction and Payment of the Debt and Interest, amounting to Twenty-one

thousand Pounds and upwards, due to the said Commissioners of Her Majesty's Treasury, or to the Commissioners of Public Works on their Behalf, and secured on the Tolls, Rates, and Duties heretofore levied in the Harbour of Galway, and on other Property belonging to the Galway Harbour Commissioners, and do hereby declare the said Harbour, Docks, and Works, and the Rates and Duties and other Property of the Galway Harbour Commissioners, now to be for ever freed and discharged of the said Debt and Interest of Twenty-one thousand Pounds and upwards, and of the Security created or conferred by the said Mortgages respectively granted to the Commissioners of Public Works under the recited Acts or any of them, and the said Commissioners of Her Majesty's Treasury hereby consent to the Registration hereof in Dublin for Preservation at .

In witness whereof these Presents are subscribed by us Two of the said Commissioners, at London, the Day of in the Year One thousand eight hundred and sixty before these Witnesses.

Galway Harbour (Composition of Debt).

A

B I L L

To authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the Galway Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for other Purposes.

(Prepared and brought in by Mr. Dodson, Lord Naas, and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,* 7 *May* 1867.

[Bill 137.]

Under 1 *oz.*

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the Galway Harbour Commissioners, and to make Arrangements for the Payment of the Amounts for which such Debt and another Debt are to be compounded; and for other Purposes.

WHEREAS, with the Consent and Approbation of the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland (hereinafter called "the Commissioners of Her Majesty's Treasury"), the Commissioners of Public Works in Ireland (herein-after called "the Commissioners of Public Works"), in and since the Year One thousand eight hundred and thirty-two advanced under the Authority of the Act (Public) of the First and Second William the Fourth, Chapter Thirty-three, certain Sums of Money, amounting in the whole to the Sum of Twenty-four thousand Pounds, to the Galway Harbour Commissioners and their Successors, for the Purpose of constructing a Floating Dock together with other Works for the Improvement of the Port and Harbour of Galway, and such Sums were Preamble.

were advanced on the Security of certain Indentures of Mortgage of the Rates, Tolls, and Duties authorized to be levied from Time to Time in the Port of Galway under the Authority of the Acts therein recited, and also upon the further Security of certain Lands and Premises therein mentioned and conveyed:

And whereas there is a Sum of Twenty thousand six hundred and fifty-six Pounds Four Shillings remaining due, including Interest up to the First Day of May One thousand eight hundred and sixty-seven, to the Commissioners of Public Works, in respect of such Advances (after deducting the Payments annually made in respect of Principal and Interest), and the said Commissioners of Public Works are now, and have been for some Years, in receipt as Mortgagees in Possession of the Rates, Tolls, and Duties levied in the said Harbour, and of the Rents and Profits of said Premises, for the Purpose of securing the Repayment of the Principal and Interest due as aforesaid:

And whereas the Rates, Tolls, and Duties heretofore payable in respect of the said Floating Dock and Works have not only proved insufficient for the Repayment of the Principal Sum and Interest, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour of Galway:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said Galway Harbour Commissioners to make certain Repairs to the Piers and Quays of said Harbour, and in other respects to improve the same, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt for the Sum of ten thousand Pounds:

And whereas Bernard Mullins and John M'Mahon did in Michaelmas Term One thousand eight hundred and forty-seven recover a Judgment against the said Galway Harbour Commissioners for the Sum of Three thousand five hundred Pounds, with Costs, the entire of which said Judgment Debt, together with Interest thereon, and Costs amounting in all to the Sum of Six thousand four hundred Pounds or thereabouts, is still due and owing by the said Galway Harbour Commissioners:

And whereas the Grand Jury of the County of the Town of Galway at the last Spring Assizes resolved unanimously to guarantee to Mr. Michael Bernard Mullins, the legal Representative of the said Bernard Mullins and John McMahon, the Payment of the said Judgment Debt in such Manner as the Committee named in the Resolution should agree on; and the said Committee were also authorized to consent to any Act of Parliament binding the said County of the Town to compromise the said Debt, and to act on their Behalf as herein-after provided:

And

And whereas the said Michael Bernard Mullins has agreed to accept the Sum of Five thousand Pounds for the said Judgment Debt, Interest, and Costs, provided that Sum be paid to him out of the first Monies to be borrowed under this Act from the Public Works Loan Commissioners as herein-after provided:

And whereas the Commissioners of Her Majesty's Treasury have consented to allow the Harbour Commissioners to borrow any Sum or Sums of Money not exceeding Twenty-two thousand Pounds (including the said Sum of Five thousand Pounds) from the Public Works Loan Commissioners, if the said Public Works Loan Comsioners shall be satisfied from Time to Time with the Security tendered to them by the Galway Harbour Commissioners, and to permit the Annuities which shall be granted for the same respectively by the Harbour Commissioners to have Priority of the Annuity in respect of the said Sum of Ten thousand Pounds, provided the County of the Town of Galway levy a Rate as additional Security in manner herein-after mentioned:

And whereas the Committee appointed by the Grand Jury as aforesaid to act on their Behalf have consented to the Arrangement by this Act provided in this respect:

And whereas it is expedient that said Arrangements should be authorized:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Galway "Harbour (Composition of Debt) Act, 1867."

Commencement.

2. This Act shall commence and take effect from and immediately after the passing of the same.

Interpretation: "Commissioners of Treasury:"

3. In this Act—

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being:

"Galway Harbour Commissioners:"

The Term "the Galway Harbour Commissioners" means the Galway Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the Galway Harbour and Port Act, 1853:

"Commissioners of Public Works:"

The Term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland for the Time being:

"Harbour Rates."

The Term "Harbour Rates" includes all Rates, Tolls, and Duties leviable from Time to Time in the Port and Harbour of Galway, and all Rents and other Property of the said Harbour Commissioners.

CLAUSE A.
Mr. Michael Bernard Mullins' Debt to be computed at the Sum of 5,000*l.*

4. The said Debt of Six thousand four hundred Pounds or thereabouts, so due and owing to the said Michael Bernard Mullins, shall be assumed to be and shall be taken at the Sum of Five thousand Pounds.

Power to Treasury to compound Debt.

5. It may be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any Two or more of such Commissioners, to compound the said Debt of Twenty-one thousand Pounds and upwards now remaining due to the Commissioners of Public Works as aforesaid by the Galway Harbour Commissioners as follows, viz., that the said Debt shall be assumed to be and shall be taken at the Sum of Ten thousand Pounds.

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument, executed by the Commissioners of Her Majesty's Treasury, such additional Terms, Conditions, and Agreements as they may think proper to require and insert therein; and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect to all Intents and Purposes as if the same had been contained in this Act.

Mode of Payment of compounded Debt.

7. The said Sum of Ten thousand Pounds shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge of Four hundred and ten Pounds, including Principal and Interest, the same to be paid by equal half-yearly Instalments, for a Period of Fifty Years, on every First Day of May and First Day of November in each Year, the first Payment to be made on the First Day of May One thousand eight hundred and sixty-eight, the said Annuity to be chargeable and charged upon the Harbour Rates, and upon all Lands and Property of the Galway Harbour Commissioners, of what Nature and Kind soever, and to be further secured by Presentment on the County of the Town of Galway as herein-after provided.

CLAUSE B.
Further Security provided for the Payment

8. And as a further Security for Payment of the said half-yearly Instalments of Two hundred and five Pounds, it is hereby enacted, that if any of the said Instalments be in arrear for the Space of Forty-

Forty-one Days after any of the Days herein-before provided for Payment of the same, the Amount so in arrear shall from Time to Time, and as often as the same shall happen, be certified by the Secretary of the Commissioners of Public Works in Ireland to the Secretary of the Grand Jury of the County of the Town of Galway; and such Secretary of the said Grand Jury shall lay such Certificate before the Grand Jury of the said County of the Town of Galway at the next Assizes after he shall receive the same; and it shall be lawful for the said Grand Jury and they are hereby authorized and required to present the Sum mentioned in every such Certificate to be raised and levied off the said County of the Town of Galway immediately after such Assizes; and the Treasurer of the said County of the Town of Galway shall pay the Sum so presented by the Grand Jury to the Credit of the Commissioners of Public Works: Provided always, that such Treasurer shall issue a separate Warrant for the Levy of the Sum mentioned in such Certificate.

of Annuity in respect of the Sum of 10,000*l.*

9. If the Grand Jury of the said County of the Town of Galway shall fail to present the Sum, or any Part thereof, contained in any such Certificate, the Treasurer of the said County of the Town of Galway shall and he is hereby authorized and required to insert such Sum or such omitted Part thereof in such separate Warrant for raising such Monies as if such Sum had been duly presented by such Grand Jury to be raised off the said County of the Town of Galway, and the same shall be raised and levied accordingly as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented by the said Grand Jury.

Clause C. In case the Grand Jury fail to present, Treasurer may insert such Sum in the Warrant, which shall be levied as if it had been presented.

10. Any Sum of Money so to be raised and levied off the said County of the Town of Galway under the Provisions of this Act shall be charged upon, and applotted, raised, and levied upon and from, the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within the said County of the Town of Galway respectively, and rated under the then last preceding Rate or Rates made or from Time to Time made in respect of the same under the Provisions of an Act of the First and Second Years of Her present Majesty, intituled "An Act for the more effectual Relief of the "destitute Poor in Ireland," and any Act amending the same, and shall be payable by the respective Ratepayers who, under the said last preceding Rate or Rates, shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in the said County of the Town of Galway, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable

Clause D. Such Sums to be assessed and levied like the Poor Rate, according to 1 & 2 Vict. c. 56., &c.

by the Ratepayers in respect of such Lands or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the High Constable or High Constables, Collector or Collectors of Grand Jury Cess for the said County of the Town of Galway, as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within the said County of the Town of Galway rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid; and on Receipt of the Warrant of the said Treasurer as aforesaid such High Constable or High Constables, Collector or Collectors, is or are hereby authorized and required to levy the Money therein mentioned, and to give to the Parties paying the same Receipts therefor; and such Money shall and may be collected and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess, or the Money applotted on the several Persons liable to pay any Grand Jury Cess, may be collected and levied, and with like Powers, Authorities, and Privileges, to any such Collector, as in the Case of the levying of any Grand Jury Cess.

Clause E. No greater Sum than 250*l.* to be levied in any One Year.

11. Provided always, That no greater Sum than the said Sum of Two hundred and fifty Pounds shall in any One Year be required to be raised and levied from the said County of the Town of Galway under the Provisions herein-before contained.

Clause F. Condition of Collector's Bond.

12. The Condition of the Bond of the Collector of Grand Jury Cess in the said County of the Town of Galway to be hereafter given or executed by way of Security for duly collecting and paying Public Money shall contain a Condition for his duly collecting and paying to the Treasurer of the said County of the Town of Galway for the Time being, on or before the First Day of the next Assizes, all such Money as he shall be authorized to levy under this Act, and shall be subject to all Provisions now applicable to any Bond to be given or executed by any Collector of Grand Jury Cess.

Clause G. Payments to be allowed as Poor Rate.

13. In all Cases the Receipt for any such Sum of Money so to be levied as aforesaid shall be accepted by every Person entitled to receive Rent in respect of the same Property, and allowed by such Person to the Occupier or other Person paying such Rent, in the same Manner as if the same had been paid by such Occupier or other Person as Poor Rate.

Clause H. After Deed executed, Commissioners of Public

14. From and after the Execution of the said Deed or Instrument the Commissioners of Public Works shall pay over to the Harbour Commissioners, after providing for the Expenses of the Management

Management of the Port, any Balance remaining in their Hands arising from the Tolls, Rates, and Revenues of the Port received by them from and after the First Day of May One thousand eight hundred and sixty-seven to the Day of the granting of the said Annuity, to be applied by the Harbour Commissioners to the Purposes of the said Port.

Works to pay over Balance.

CLAUSE I. Public Works Loan Commissioners, with Consent of Treasury, to advance Monies to pay off Mr. Mullins' Debt, and for Improvements and Construction of a Graving Dock in the Harbour of Galway.

15. It shall be lawful for the Public Works Loan Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, at any Time after the Execution of the said Deed or Instrument, to advance to the Galway Harbour Commissioners, by way of Annuity or Annuities, or otherwise in accordance with the Provisions of "The Harbours and Passing Tolls, &c., Act, 1861," any Sum or Sums of Money not exceeding Twenty-two thousand Pounds, out of the Monies placed at their Disposal under the 29 & 30 Vict. Cap. 72. Sec. 2. to be applied by the said Galway Harbour Commissioners in the Manner and to the following Purposes; viz.,

First, the Sum of Five thousand Pounds to be paid to the said Michael Bernard Mullins, or his legal Representative, in full Discharge of the said Debt of Six thousand four hundred Pounds or thereabouts:

Secondly, the Sum of Five thousand Pounds to be applied to the Improvement of the Port; and

Thirdly, the Sum of Twelve thousand Pounds to be applied in the Construction of a Graving Dock in the said Port.

And the said Sum or Sums so from Time to Time, or the Annuity or Annuities, granted for the same by the Galway Harbour Commissioners to the Public Works Loan Commissioners, shall have Priority over the said Annuity for the said Sum of Ten thousand Pounds, provided the Commissioners of Her Majesty's Treasury sanction any such Loan.

Power to Harbour Commissioners to improve Port and constructing a Graving Dock.

16. It shall be lawful for the Galway Harbour Commissioners to make such Improvements in the said Port and to construct such Dock as they may consider necessary, and to take Land by Agreement for those Purposes; provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to and approved of by the Board of Trade; and on the said Board granting a Certificate in Writing from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Public Works Loan Commissioners may advance to the Galway Harbour Commissioners the Sums stated in such Certificates respectively, not exceeding in the whole the Sum of Seventeen thousand Pounds.

CLAUSE K. When Graving Dock completed, Harbour Commissioners to charge Rates for Use of same, as set forth in Galway Harbour Act, 1860.

17. On the Completion of the said Graving Dock it shall be lawful for the Harbour Commissioners to levy Rates for the Use of the same, not exceeding the Graving Dock Rates authorized by "The Galway Harbour Act, 1860," and all the Powers of that Act relating to the Graving Dock therein referred to shall be applicable to the Graving Dock hereby authorized.

Proceedings for Recovery of Annuity.

18. If Default shall be made in Payment of any of the said Annuity or Rentcharge of Four hundred and five Pounds as hereinbefore provided, it shall also be lawful for the Commissioners of Public Works to proceed for the Recovery thereof or any Part thereof by all or any of the Means provided for the Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second William the Fourth, Chapter Thirty-three, intituled "An Act for the Extension and "Promotion of Public Works in Ireland," in like Manner in all respects as if the said Harbour Rates or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

Court of Chancery may appoint a Receiver of Rates.

19. And it shall also be lawful for the Court of Chancery in Ireland, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Harbour Rates, and of the Rents and Profits of all Lands and Premises the Property of the said Harbour Commissioners; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said Galway Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Harbour Rates; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

20. It shall be lawful for the said Commissioners of Public Works, out of the said Harbour Rates, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them or any Officer or Servants employed by them in the Execution of this Act.

CLAUSE L. Costs of Act.

21. The reasonable Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the Galway Harbour

Harbour Commissioners out of the first Monies coming into their Hands under this Act.

22. This Act shall be a Public Act, and shall be judicially taken notice of. Public Act.

Galway Harbour (Composition of Debt).

A

BILL

[AS AMENDED IN SELECT COMMITTEE]

To authorize the Commissioners of Her Majesty's Treasury to compound the public Debt and Interest due by the Galway Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt and another Debt are to be compounded; and for other Purposes.

(*Prepared and brought in by Mr. Dodson, Lord Naas, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 18 *June* 1867.

[Bill 200.]

Under 2 *oz.*

A

BILL

TO

Repeal certain Parts of the Acts Tenth William the Third, Chapter Eight (Irish), and the Twenty-seventh George the Third, Chapter Thirty-fifth (Irish), which impose Qualifications for the keeping of Sporting Dogs in Ireland.

WHEREAS by the Second Section of an Act passed in the Tenth Year of His late Majesty King William the Third, intituled "An Act for the Preservation of the Game and "the more easy Conviction of such as shall destroy the same," it is enacted that no Person or Persons whatsoever, not having an Estate of Freehold in his own or his Wife's Right of the yearly Value of Forty Pounds at least, or a Personal Estate of the Value of One thousand Pounds at least, over and above all Debts by him owing, unless as herein mentioned, should have or keep any Hound, Beagle, Greyhound, or Land Spaniel within the Kingdom of Ireland, except as therein mentioned: Preamble.

And whereas by the Tenth Section of the said recited Act it is enacted that no Person or Persons, not having an Estate of Freehold of the yearly Value of One hundred Pounds or upwards, or a Personal Estate of the Value of One thousand Pounds, should have or keep

any Setting Dog or Bitch, other than such a Person or Persons as are in said Section mentioned:

And whereas by the Eighth Section of an Act passed in the Twenty-seventh Year of the Reign of His late Majesty King George the Third, intituled "An Act for the Preservation of the Game," it is enacted that no Person or Persons should have or keep any Pointer, Hound, Beagle, Greyhound, or Land Spaniel, other than and except such Person or Persons as therein mentioned:

And whereas such Enactments are unjust and oppressive, and it is expedient that the same should be repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Sects. 2. and 10. of 10 W. 3. c. 8 (I.) and Sect. 8. of 27 Geo. 3. c. 35. (I.) repealed.

1. From and after the *passing of this Act* the said Sections Two and Ten of the said recited Act of the Tenth Year of the Reign of King William the Third, and the said Section Eight of the said recited Act of the Twenty-seventh Year of King George the Third, shall be and the same are hereby repealed.

Not to invalidate Proceedings before Commencement of Act.

2. Nothing in this Act shall invalidate or affect any Prosecution or Proceeding instituted or taken before the Commencement of this Act.

Short Title.

3. This Act may be cited for all Purposes as the "Game Law "(Ireland) Amendment Act, 1867."

Game Laws Amendment (Ireland).

A

BILL

To repeal certain Parts of the Acts Tenth William the Third, Chapter Eight (Irish), and the Twenty-seventh George the Third, Chapter Thirty-five (Irish), which impose Qualifications for the keeping of Sporting Dogs in Ireland.

(*Prepared and brought in by The O'Donoghue, Mr. Cogan, and Mr. Serjeant Barry.*)

Ordered, by The House of Commons, *to be Printed*, 2 *July* 1867.

[Bill 226.]

Under 1 *oz.*

A

BILL

TO

Amend the Laws relating to Game in Scotland.

Preamble.

WHEREAS it is expedient to amend the Law relative to the Preservation of Game in Scotland, and to assimilate the Law of Scotland with the Law of England relative to Tenants taking Game:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Title and Extent of Act.

1. This Act may be cited as The Game Laws Amendment (Scotland) Act, 1867, and shall apply to Scotland only.

Interpretation Clause.

2. In this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Tenant" shall mean any Person now or hereafter in occupation of Lands in Scotland under any Lease, or Agreement of Lease, written or verbal; the Word "Lessor" shall mean any Person entitled to the Rent of such Lands; the Word "County" shall include Stewartry and also any Ward or other like Division of County or Stewartry; the Word "Sheriff" shall include Sheriff Substitute.

Tenant in occupation may kill Hares or appoint One

3. From and after the *passing of this Act* it shall be lawful for any Tenant in occupation of Lands in Scotland under any Lease or Agreement of Lease, where the Game is not reserved to the Pro-

 prietor

Person to do so.

prietor by the Lease, or otherwise, to kill and destroy Hares upon Land in his Occupation in like Manner as it is now competent for Tenants in occupation of Lands in Scotland to kill Rabbits thereon.

Future Tenants not to be debarred from killing Rabbits and Hares except by express Agreement.

4. No Tenant in occupation of Lands in Scotland, and whose Occupation shall commence after the *passing of this Act*, shall be debarred from killing Hares and Rabbits on Lands in his Occupation otherwise than by an express Stipulation inserted in the Lease or Agreement of Lease under which he occupies the said Lands, or otherwise, by written Agreement duly executed.

Tenant not required to take out Licence to kill Game.

5. It shall not be necessary for a Tenant in occupation of Lands as aforesaid who shall kill Hares or Rabbits on any Lands occupied by him, being otherwise entitled to do so, to pay in respect thereof any Assessed Taxes or to take out any Licence to kill Game in Terms of the Act of the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, Chapter Ninety.

Person authorized to kill Hares and Rabbits not liable to Duty as a Gamekeeper or deemed a Trespasser.

6. No Person authorized in Writing by a Tenant in the Occupation of Lands to kill Hares or Rabbits thereon shall be required to take out any Licence or be liable to any Duty of Assessed Taxes as a Gamekeeper, nor be deemed or taken to be a Trespasser, in Terms of the Act of the Second and Third Years of His late Majesty King William, Chapter Sixty-eight.

Game to include Deer.

7. And whereas it is desirable that the Word "Game" should be held to include Deer: And whereas also Doubts exist whether Deer are to be considered as Game in the Construction of certain Provisions in the Acts of Parliament herein-after specified: It is enacted, That from and after the passing of this Act the Word "Game" shall be held to apply to and include Deer; and the Word "Game" as used in the Acts Ninth George the Fourth, Chapter Sixty-nine, Seventh and Eighth Victoria, Chapter Twenty-nine, and Twenty-fifth and Twenty-sixth Victoria, Chapter One hundred and fourteen, shall be construed as including Deer, and that notwithstanding any Declaration in the said Acts to the contrary; and all the Provisions of the said Acts applicable to Game shall apply to the taking, killing, and destroying of Deer; saving and excepting always the killing of Deer by hunting with Hounds, to which the Provisions of the said Acts and of this Act shall not apply.

Tenant in occupation may kill Game unless Game reserved by Proprietor.

8. And whereas by divers Laws now in force in Scotland the Lessee or Tenant of any Lands or Heritages has no Right or Privilege of taking or killing any Game whatever on the Lands occupied by him without the Permission of the Proprietor of the Lands: And whereas it is expedient to assimilate the Law of Scotland with

with the Law of England in this respect: Therefore, from and after the *passing of this Act* it shall be lawful for any Person who shall occupy Land in Scotland as Lessee or Tenant of the same, and who shall have obtained such Game Certificate or Licence as may by Law be required for the Time, to kill and take Game on the Land so occupied by him: Provided that the Lease or Agreement of Lease in virtue of which he occupies the said Land shall contain no Reservation by the Lessor of the Land of the Right to take and kill Game.

Tenant under verbal Lease or Agreement may kill Game unless expressly reserved by Proprietor.

9. From and after the *passing of this Act* it shall be lawful for any Person who shall occupy Land in Scotland under a verbal Lease or Agreement, and who shall have obtained such Game Certificate or Licence as may by Law be required for the Time, to take Game on the Land so occupied by him; provided the Lessor of the Land shall not have expressly reserved his Right to the Game on the said Lands.

This Act not to give Tenants an exclusive Right to kill Game.

10. Provided always, That nothing herein contained shall be held to confer on any Tenant an exclusive Right to kill Game on the Land occupied by him, the Right of the Lessor to give Permission to any Person to kill Game on his Lands being reserved entire.

Tenant may recover Compensation from his Lessor for Damage by Increase of Game in Sheriff Court.

11. From and after the *passing of this Act* a Tenant shall be entitled to recover Compensation from his Lessor for any Damages he may sustain in consequence of or by reason of the Increase of Hares, Rabbits, or Game unduly encouraged or not duly prevented by the Lessor on Lands occupied by the Tenant during the Currency of his Lease, provided that such Increase shall arise subsequent to the passing hereof; and such Compensation shall be sued for and recoverable only in the Sheriff Court of the County wherein the Lands in respect of which the said Damage is alleged to have been sustained are situate; and the Judgment of the Sheriff Substitute or Sheriff, in so far as the same consists of Findings in point of Fact, or fixes the Amount of Damages, shall be final and not subject to Review, it being competent to appeal from the Decision of the Sheriff Substitute to the Sheriff; but provided always, that the Judgment of the Sheriff Substitute or Sheriff, in so far as the same consists of Findings in Law, shall be subject to the Review of the Supreme Courts.

Exemption.

12. Nothing in this Act contained shall affect the Rights of Parties under written Contracts executed before the passing of this Act, or affect any Leases of Game existing at the Date of the passing hereof.

Game Laws (Scotland).

A

B I L L

To amend the Laws relating to Game in Scotland.

(Prepared and brought in by Lord Elcho, Mr. Henry Baillie, and Sir Robert Anstruther.)

Ordered, by The House of Commons, *to be Printed,* 9 *April* 1867.

[Bill 116.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Laws relating to Game in Scotland.

WHEREAS it is expedient to amend the Law relative to the Preservation of Game in Scotland and relative to Tenants taking Game: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as The Game Laws Amendment (Scotland) Act, 1867, and shall apply to Scotland only. Title and Extent of Act.

2. In this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Tenant" shall mean any Person now or hereafter in occupation of Lands in Scotland under any Lease, or Agreement of Lease, written or verbal; the Word "Lessor" shall mean any Person entitled to the Rent of such Lands; the Word "County" shall include Stewartry and also any Ward or other like Division of County or Stewartry; the Word "Sheriff" shall include Sheriff Substitute. Interpretation Clause.

3. From

Tenant in occupation may kill Hares.

3. From and after the passing of this Act it shall be lawful for any Tenant in occupation of Lands in Scotland under any Lease or Agreement of Lease, where the exclusive Right of killing Hares is not specially reserved to the Proprietor by the Lease, or otherwise, to kill and destroy Hares upon Land in his Occupation in like Manner as it is now competent for Tenants in occupation of Lands in Scotland to kill Rabbits thereon.

Clause A. Tenant not required to take out Licence to kill Hares or Rabbits.

4. A Tenant who shall kill Hares or Rabbits in pursuance of this Act shall not thereby become liable to pay any Assessed Taxes, nor shall be bound, as a Qualification for so killing Hares or Rabbits, to take out any Licence under Act Twenty-third and Twenty-fourth Victoria, Chapter Ninety.

Clause B. Tenant may appoint One Person to kill Hares and Rabbits.

5. Any Tenant of Lands entitled to kill Hares by virtue of this Act may, by Writing under his Hand, appoint not more than One Person to kill Hares and Rabbits thereon, such Person to be approved of by the Landlord; and such Person shall not be required to take out any Licence, or be liable to any Duty of Assessed Taxes as a Gamekeeper, or be deemed or be taken to be a Trespasser, in Terms of the Act of the Second and Third Years of His late Majesty King William, Chapter Sixty-eight.

Tenant may recover Compensation from his Lessor for Damage by Increase of Game in Sheriff Court.

6. From and after the passing of this Act a Tenant shall be entitled to recover Compensation from his Lessor for any Damages he may sustain in consequence of or by reason of the Increase of Hares, Rabbits, or Game unduly encouraged or not duly prevented by the Lessor on Lands occupied by the Tenant during the Currency of his Lease, provided that such Increase shall arise subsequent to the passing hereof; and such Compensation shall be sued for and recoverable only in the Sheriff Court of the County wherein the Lands in respect of which the said Damage is alleged to have been sustained are situate; and the Judgment of the Sheriff Substitute or Sheriff, in so far as the same consists of Findings in point of Fact, or fixes the Amount of Damages, shall be final and not subject to Review, it being competent to appeal from the Decision of the Sheriff Substitute to the Sheriff; but provided always, that the Judgment of the Sheriff Substitute or Sheriff, in so far as the same consists of Findings in Law, shall be subject to the Review of the Supreme Courts.

Clause C. Saving of Rights.

7. Nothing in this Act shall affect the Rights of Parties under Contracts, the Occupation under which shall have commenced before the passing of this Act, or affect any Leases of Game existing at the Date of the passing thereof.

Game Laws (Scotland).

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Laws relating to Game in Scotland.

(*Prepared and brought in by Lord Elcho, Mr. Henry Baillie, and Sir Robert Anstruther.*)

Ordered, by The House of Commons, *to be Printed*, 8 *July* 1867.

[Bill 231.]

Under 1 *oz.*

A

BILL

TO

Amend the Laws relating to the Preservation of Game in Scotland.

WHEREAS divers Acts of Parliament have from Time to Time been passed relating to the Preservation of Game in Scotland, and those Acts are enumerated in the Schedule to this Act, and are in this Act referred to as "the Game Laws:" Preamble.

And whereas it is expedient that the Game Laws should be amended, and that the following Provisions should be made with reference to those Laws:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as "The Game Acts Amendment (Scotland) Act, 1867." Short Title.

2. In this Act, unless there be something in the Subject or Context repugnant to such Construction, Interpretation of Terms.

(1.) The Word "Tenant" shall mean any Person now or hereafter in the Occupation of Lands in Scotland under any Lease or Agreement of Lease, written or verbal:

(2.) The Word "Lessor" shall mean any Person entitled to the Rent of such Lands:

(3.) The Word "County" shall include Stewartry, and also any Ward or other like Division of a County or Stewartry:

(4.) The Word "Sheriff" shall include Sheriff Substitute.

Hares and Rabbits not to be deemed Game.

3. From and after *the passing of this Act*, Hares and Rabbits shall not be deemed to be Game within the Meaning of the Game Laws, nor shall any of the Provisions of those Laws apply to the taking, killing, or destroying of Hares or Rabbits.

Prosecutions under Game Laws to be before Sheriff.

4. From and after *the passing of this Act* all Offences against the Game Laws now cognizable by Justices of the Peace shall, notwithstanding anything in those Laws contained, be inquired into and determined by the Sheriff or Sheriff Substitute of the County or of any District of the County where the Offence shall be committed, and the Powers and Jurisdiction of Justices of the Peace and Quarter Sessions under those Laws shall cease and determine; and all Powers, Authority, and Jurisdiction given by any of those Laws to Justices of the Peace shall henceforth be vested in and exercised by the Sheriff or Sheriff Substitute as aforesaid; and any Forms, Styles, or Procedure applicable to Prosecutions or Proceedings before Justices of the Peace shall, mutatis mutandis, be applicable to Prosecutions and Proceedings before the Sheriff or Sheriff Substitute as aforesaid; and it shall be competent for the Prosecutor, or for the Defender or Party accused who shall have been brought before the Sheriff Substitute, in the first instance to appeal to the Sheriff from the Decision of the Sheriff Substitute in all Cases in which it is declared by any of the Game Laws that it shall be competent to appeal from the Decision of the Justices to the Quarter Sessions, and subject to the same Regulations as are provided in the said Game Laws.

No Person to be prosecuted again for same Offence.

5. From and after *the passing of this Act* any Person who has been or shall be prosecuted for any Act or Acts as constituting an Offence under any One or more of the Game Laws shall not be liable to be again prosecuted for the same Act or Acts as constituting an Offence under any other of the Game Laws.

Compensation for Damage arising to Tenants.

6. From and after *the passing of this Act* a Tenant shall be entitled to recover Compensation from his Lessor for any Damages he may sustain in consequence or by reason of the Increase of Hares, Rabbits, or Game unduly encouraged or not duly prevented by the Lessor on the Lands occupied by the Tenant during the Currency of his Lease, provided such Increase shall arise subsequent

sequent to the passing hereof, and such Compensation shall be sued for and recoverable only in the Sheriff Court of the County wherein the Lands in respect of which the said Damage is alleged to have been sustained are situate; and the Judgment of the Sheriff Substitute or Sheriff, in so far as the same consists of Findings in point of Fact, or fixes the Amount of the Damages, shall be final, and not subject to Review, it being competent to appeal from the Decision of the Sheriff Substitute to the Sheriff.

Saving Rights of existing Leases of Game.

7. Nothing in this Act contained shall prejudice or affect any Lease or Leases of Game existing at the Date of the passing hereof.

Act to apply to Scotland only.

8. This Act shall apply to Scotland only.

SCHEDULE.

The GAME ACTS referred to in this Act.

An Act of the Parliament of Scotland, passed in the Year 1587, Chapter 59., intituled "Slayers of Wilde-beastes committes Thieft."

An Act of the Parliament of Scotland, passed in the Year 1621, Chapter 31., intituled "Anent Hunting and Haulking."

An Act of the Parliament of Scotland, passed in the Year 1707, Chapter 91., intituled "An Act for preserving the Game."

"An Act for the more effectual Preservation of the Game in that "Part of Great Britain called Scotland, and for repealing and "amending several of the Laws now in being relative thereto." 13 George 3., Chapter 54.]

"An Act for the more effectual Prevention of Persons going armed "by Night for the Destruction of Game." 9 George 4. Chapter 69.

"An Act to amend the Laws in England relative to Game." 1 & 2 William 4., Chapter 32.

"An Act for the more effectual Prevention of Trespasses upon "Property by Persons in Pursuit of Game in that Part "of Great Britain called Scotland." 2 & 3 William 4., Chapter 68.

"An Act to continue for One Year Compositions for Assessed "Taxes, and to alter the Period for the Expiration of Game "Certificates, and for granting Licences to deal in Game." 2 & 3 Victoria, Chapter 35.

"An Act to extend an Act of the Ninth Year of King George "the Fourth, for the more effectual Prevention of Persons "going armed by Night for the Destruction of Game." 7 & 8 Victoria, Chapter 29.

"An Act to enable all Persons having at present a Right to kill "Hares in Scotland to do so themselves, or by Persons autho- "rized by them, without being required to take out a Game "Certificate." 11 & 12 Victoria, Chapter 20.

"An

" An Act to repeal the Duties on Game Certificates, and Certifi-
" cates to deal in Game, and to impose in lieu thereof Duties
" on Excise Licences and Certificates for the like Purposes."
23 & 24 Victoria, Chapter 90.

" An Act to amend the Laws relating to the Inland Revenue."
24 & 25 Victoria, Chapter 91.

" An Act for the Prevention of Poaching." 25 & 26 Victoria,
Chapter 114.

Game Preservation (Scotland.)

A

BILL

To amend the Laws relating to the Preservation of Game in Scotland.

(*Prepared and brought in by Mr. M'Lagan, Sir William Stirling-Maxwell, and Mr. Fordyce.*)

Ordered, by the House of Commons, *to be Printed*, 5 *March* 1867.

[Bill 65.]

Under 1 *oz.*

Grand Jury (Ireland) Amendment Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

Constitution of the Presentment Sessions.

Clause.

1. Lord Lieutenant in Council to fix Number of Associated Cesspayers in each Barony. Number fixed by Grand Jury before Act to continue till so fixed.
2. Associated Cesspayers to be elected by those in each Barony qualified in respect of an Occupation Franchise to vote for Members of Parliament.
3. Nomination and Qualification of Associated Cesspayers.
4. Election of Cesspayers if no Contest.
5. Outgoing Associated Cesspayers not to require new Nomination.
6. Election of Associated Cesspayers, if contested, to be by Voting Papers.
7. If Vacancy in Number of Associated Cesspayers before 1st September new Election to fill Vacancies to be held in October.
8. Elected Cesspayers to be all associated with Justices, and not selected by Lot as heretofore.
9. Justices not to act at Presentment Sessions for Barony, unless resident, or having 50*l.* as Immediate Lessor, or as acting as Agent for Estates above the Value of 500*l.* per annum in Barony, and residing within Five Miles.
10. Justices at Baronial Sessions to elect One Justice, and Cesspayers One Cesspayer, to represent Barony at Sessions for County at large.

PART II.

General Provisions.

11. Grand Jury to elect Standing Committee.
12. Standing Committee to meet when summoned. Three to be a Quorum.

13. Standing Committee to inquire and report to succeeding Grand Jury.
14. Standing Committee to take cognizance of Complaints against County Officers.
15. Standing Committee to open Tenders in Cases now referred to Grand Jury.
16. County Surveyor not to undertake Work in default of Contractor, without the Sanction of the Standing Committee.
17. Power of filling Vacancy in Office of High Constable transferred to Standing Committee from Justices at Quarter Sessions.
18. Collectors to lodge Cess as it is collected, and an Account of Sums so lodged to be laid before Standing Committee at their Meetings.
19. Power to Grand Jury to appoint Baronial Sub-Committees of Two or more Baronies.
20. Grand Jury to give to Sub-Committee as to its own Barony any or all of the Powers of Standing Committee.
21. Further Power to Justices to order Expenditure in Cases of sudden Breach.
22. Short Title of Act.

A

BILL

TO

Amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland.

WHEREAS it is expedient that the Associated Cesspayers to serve at Presentment Sessions shall be elected by the Cesspayers of the Barony, that the Magistrates to serve at Presentment Sessions shall be limited to those connected with the Barony for which the Sessions are held, and that the Grand Jury at each Assizes shall have Power to nominate permanent Committees to serve from each Assizes to the next ensuing Assizes, and to discharge the Duties herein-after provided: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

PART I.

Constitution of the Presentment Sessions.

1. The Lord Lieutenant in Council may, on Memorial of Grand Jury or of *Twenty* Cesspayers of the Barony, from Time to Time fix the Lord Lieutenant in Council to fix Number of Associated

Cesspayers in each Barony.

Number fixed by Grand Jury before Act to continue till so fixed.

the Number of Cesspayers to be elected for each Barony to be associated with the Justices at Presentment Sessions to be holden therein, and may divide any Barony into One or more Electoral Divisions, for the Election of One or more such Cesspayers: Provided always, that until an Order is made as aforesaid for any Barony by the Lord Lieutenant in Council, the Number of Associated Cesspayers to be elected under this Act shall be the Number fixed by the Grand Jury at the Assizes next before the passing of this Act under the Provisions of Statute Sixth and Seventh William the Fourth, Chapter One hundred and sixteen, Section Eight.

Associated Cesspayers to be elected by those in each Barony qualified in respect of an Occupation Franchise to vote for Members of Parliament.

2. The Constituency to elect the Associated Cesspayers for each Barony shall be the Persons for the Time being entitled to vote at the Election of Members of Parliament in respect of an Occupation Qualification arising out of Lands and Premises wholly or in part situate in such Barony.

Nomination and Qualification of Associated Cesspayers.

3. The Associated Cesspayers shall be elected in the Month of March in each Year. Nominations shall be made in Writing before the *First of February* to the Secretary of the Grand Jury by some Person qualified to vote for Barony, or Electoral Division if Barony be divided; if some Cesspayer on the List of those so as aforesaid qualified to vote for the Barony, or for Electoral Division if Barony be divided, who shall be valued to the Relief of the Poor in respect of Property situate in such Barony or Electoral Division to the Amount of at least *Twenty Pounds* a Year: Provided always, that in any Barony or County Electoral Division where the Qualifications of elected Guardians of the Poor for a Poor Law Electoral Division wholly or in part in such Barony or County Electoral Division shall be less than *Twenty Pounds*, the Qualification of an Associated Cesspayer for such Barony or Electoral Division shall not require a higher Rating than is required for a Poor Law Guardian in such Poor Law Electoral Division.

Election of Cesspayers if no Contest.

4. In case the Number of duly qualified Cesspayers so nominated shall for any Barony or Electoral Division not exceed the Number to be elected for such Barony or Electoral Division, the Secretary of the Grand Jury shall on the *First of March* declare those nominated to have been elected.

Outgoing Associated Cesspayers not to require new Nomination.

5. In any Election after the first every Associated Cesspayer last previously elected shall, unless he gives Notice to the contrary, be deemed to be a Candidate for Re-election, and shall not require a new Nomination for each Year.

6. In

Election of Associated Cesspayers, if contested, to be by Voting Papers.

6. In case more than the requisite Number of duly qualified Cesspayers be put in Nomination, the Secretary of the Grand Jury shall issue, through the Constabulary, Voting Papers to all the Persons qualified to vote in each Barony or Electoral Division, and upon the Return of the Voting Papers the requisite Number of Candidates having the largest Number of Votes shall be, in printed Lists, declared elected, and in case of Equality of Votes the High Sheriff of the County shall decide which of the Cesspayers having equal Number of Votes shall serve.

If Vacancy in Number of Associated Cesspayers before 1st September new Election to fill Vacancies to be held in October.

7. In case any Associated Cesspayer shall die or resign, or go to reside permanently out of the United Kingdom before *First of September* in any Year, the Secretary of the Grand Jury, on such Death, Resignation, or Change of Residence being proved to the Satisfaction of the High Sheriff of the County, and on receiving Notification of the same from him, shall give public Notice before the *Fifteenth of September* next following of an Election to supply the Vacancy; the Nomination of Candidates to be received before *First of October*, and the Election held in October, in like Manner as herein-before provided for Elections held in March. A printed List of those elected shall be published by the Secretary of the Grand Jury as in all other Cases.

Elected Cesspayers to be all associated with Justices, and not selected by Lot as heretofore.

8. The Provisions of the Grand Jury Act, Sixth and Seventh William the Fourth, Chapter One hundred and sixteen, requiring the Chairman of Presentment Sessions to select by Lot the Cesspayers to be associated, to be repealed, and at the Presentment Sessions for each Barony the Cesspayers elected under this Act for such Barony shall all be entitled to act as Associated Cesspayers.

Justices not to act at Presentment Sessions for Barony, unless resident, or having 50*l.* as Immediate Lessor, or acting as Agent for Estates above the Value of 500*l.* per Annum in Barony, and residing within Five Miles.

9. No Justice of the Peace shall be required or entitled to attend and act as Justice at the Presentment Sessions of any Barony unless he shall reside in such Barony, or unless he shall be the immediate Lessor of Lands, Tenements, and Hereditaments within such Barony of the Value of *Fifty Pounds* or upwards, and shall reside within Five Miles of the Boundary of such Barony, or within the County in which such Barony is situate, or if not resident within such Distance shall be Owner in Fee Simple of an Estate in such Barony producing a Rent of *Five hundred Pounds* a Year or upwards, or Agent and Receiver of Rents out of such Barony amounting to *Five hundred Pounds* a Year or upwards, according to the official Valuation thereof.

Justices at Baronial Sessions to elect One Justice,

10. The Justices at each Baronial Sessions shall elect a Justice, and the Associated Cesspayers shall select an Associated Cesspayer

and Cesspayers One Cesspayer, to represent Barony at Sessions for County at large.

to represent the Barony at the Sessions held for the Business relating to the County at large; and in case the Justices and Cesspayers so selected from the several Baronies do not attend the Sessions for the County at large, the Business of such Sessions shall be transacted by the Justices and Cesspayers present for the Barony in which the County Court-house may be situate.

PART II.

General Provisions.

Grand Jury to elect Standing Committee.

11. It shall be lawful for the Grand Jury at each Assizes to elect not less than *Eight* or more than *Twelve* Members of the Jury, or Persons who have served on any preceding Grand Jury for same County within *Seven* Years, to be a Standing Committee in respect of the Fiscal Business of the County until the next Grand Jury be sworn; the first-named Member of the Committee shall be the Chairman of such Committee, and in his Absence the Members to appoint, out of their Number present, a Chairman.

Standing Committee to meet when summoned. Three to be a Quorum.

12. The Standing Committee shall meet in the Grand Jury Room when summoned by Order of the Chairman or on the Requisition of Two Members of the Committee, and Three present shall constitute a Quorum.

Standing Committee to inquire and report to succeeding Grand Jury.

13. The Standing Committee shall inquire into all such Matters relating to the Fiscal Business of the County as shall be referred to them by the Grand Jury, and report to succeeding Grand Jury.

Standing Committee to take cognizance of Complaints against County Officers.

14. The Standing Committee shall take cognizance of all Complaints of the Non-execution of any Presentments of the Grand Jury, and of all Complaints against the Treasurer, Surveyor, Surveyor's Assistants, or High Constables, and report thereon, if they see fit, to the succeeding Grand Jury.

Standing Committee to open Tenders in Cases now referred to Grand Jury.

15. The opening of Tenders, where Expense exceeds *One hundred Pounds*, may be referred by Presentment Sessions, if they shall so think fit, to the Standing Committee in Cases where heretofore referred to Grand Jury, under Statute Sixth and Seventh William the Fourth, Chapter One hundred and sixteen, Section Nineteen.

County Surveyor not to undertake Work, in default of Contractor without the Sanction of the Standing Committee.

16. In all Cases where the County Surveyor shall serve Notice on a Contractor for neglecting to repair a Road, he shall report the Case to the Standing Committee, and obtain their Sanction for so undertaking the Work instead of the Contractor.

17. In

Power of filling Vacancy in Office of High Constable transferred to Standing Committee from Justices at Quarter Sessions.

17. In case a High Constable should die before collecting the Entire of the County Cess, or a Vacancy should otherwise occur, the Standing Committee shall be and are hereby empowered to appoint another High Constable in his Place or Stead till an Appointment shall be made by the Grand Jury at the following Assizes, and the Power of Magistrates at Quarter Sessions to make such Appointment under Sixth and Seventh William the Fourth, Chapter One hundred and sixteen, Section One hundred and forty-seven, and Eleventh and Twelfth Victoria, Chapter Twenty-six, shall cease.

Collectors to lodge Cess as it is collected, and an Account of Sums so lodged to be laid before Standing Committee at their Meetings.

18. Collectors of Grand Jury Cess shall lodge the Cash in Bank to the Credit of the Treasurer from Time to Time as they collect the same, and the Accounts lodged by the Cess Collectors up to the Day previous to each Meeting of the Standing Committee shall be laid before the Standing Committee by the Treasurer or his Clerk.

Power to Grand Jury to appoint Baronial Sub-Committees of Two or more Baronies.

19. Each Grand Jury may, if they think fit, in addition to the Standing Committee herein-before provided, appoint One or more Baronial Sub-Committees to act for Two or more Baronies united, for that Purpose; such Sub-Committees to consist of not less than *Three* or more than *Six* Members, of which Two may form a Quorum; and the Grand Jury may nominate the same Persons to serve on the Baronial Committees as on the County Committee, and shall be composed of Members of the last previous Grand Jury, or Persons who have served upon any previous Grand Jury for same County within *Seven* Years.

Grand Jury to give to Sub-Committee as to its own Barony any or all the Powers of Standing Committee.

20. Each Grand Jury may authorize a Baronial Sub-Committee to exercise, instead of the Standing Committee of the County, in respect of the Baronies for which they are appointed, any or all of the Powers herein conferred on the Standing Committee of the County, as the Grand Jury appointing such Baronial Committee shall, at the Time of its Appointment, direct.

Further Power to Justices to order Expenditure in Cases of sudden Breach.

21. Whereas Two Justices have now the Power of ordering Twenty Pounds for the Repair of any sudden Damage, and it has been found in some Circumstances that this Amount is not sufficient: Be it therefore enacted, That it may be lawful for any Two Justices at Petty Sessions, in any County, to order a Sum not exceeding *Fifty Pounds* for Breaches in Bridges, Pipes, and Walls, and not exceeding *Twenty Pounds* for Breaches in Roads and Embankments; provided that it shall appear upon the view of both of them, before any Part of the Work has been executed, that such Sum will be required, and that the Repairs of such sudden Damage cannot be delayed until

the next Assizes without Prejudice to the public Convenience; and for this Purpose, Section Forty-nine of Sixth and Seventh William the Fourth, Chapter One hundred and sixteen, is hereby repealed.

Short Title of Act.

22. This Act shall be cited for all Purposes as "The Grand Jury (*Ireland*) Act, 1867."

Grand Jury (Ireland) Amendment.

A

B I L L

To amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland.

(Prepared and brought in by Mr. Dawson, Mr. Leader, Sir Colman O'Loghlen, and Mr. Lawson.)

Ordered, by The House of Commons, *to be Printed,* 14th *March* 1867.

[Bill 73.]

Under 1 *oz.*

A

B I L L

TO

Provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations.

WHEREAS Persons having Offices or Employments in the Public Service and in the Service of Persons and Bodies Corporate acting under or constituted by Public Acts of Parliament are frequently required to give Security by means of Sureties for the due Performance of the Duties of such Offices or Employments; and it is expedient that the Guarantee of Companies which comply with certain Conditions should be authorized to be accepted in lieu of such Sureties: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The following Terms shall in this Act, unless the Context otherwise requires, have the Meanings hereby assigned to them; that is to say, Definitions:

The Term "Company" shall mean and include any Company, Corporation, Society, or Association incorporated by Act of "Company:"

Parliament or by Royal Charter, or under any Act relating to Joint Stock Companies:

"Directors:" The Term "Directors" shall include the Managing Body of any Company:

"Office or Employment in the Public Service:" The Term "Office or Employment in the Public Service" shall mean every Office or Employment which is remunerated out of the Consolidated Fund, or out of Monies provided by Parliament, or out of or by Fees authorized by some Public Act of Parliament, or by some Order made thereunder:

"The Treasury." The Term "the Treasury" shall mean the Lord High Treasurer or the Commissioners of the Treasury for the Time being.

Security for certain Officers may be accepted from Companies who comply with Conditions.

2. Where any Person has any Office or Employment in the Public Service or in the Service of some Body of Persons, corporate or unincorporate, who are constituted under or exercise Powers conferred by some Public Act of Parliament, and such Person is by any Law or Custom required to give Security by means of a Surety or Sureties for the due Performance of the Duties of such Office or Employment, the Person or Body Corporate in whom is vested the Discretion of determining the Nature, Amount, or Sufficiency of the Security (herein-after referred to as "the Employer") may, in the Exercise of such Discretion, accept as Security the Guarantee of any Company which complies with the Conditions contained in this Act.

Conditions on which Guarantee of Company may be accepted.

3. The Conditions on which the Guarantee of a Company may be accepted under this Act are as follows:

(1.) The Capital which has been actually subscribed must not be less than Fifty thousand Pounds:

(2.) The Amount of Capital paid up must not be less than Twenty thousand Pounds:

(3.) The Company shall set aside a Special Fund of such Amount and invested in such Manner as is herein-after mentioned:

(4.) The Amount of any one Guarantee shall not exceed the Sums herein-after mentioned:

(5.) The Company shall within Three Weeks after their First Meeting in every Year send to the Treasury such List of the Members of the Company and Summary of Particulars as is required by the Twenty-sixth Section of The Companies Act, 1862, to be sent to the Registrar, and also a Copy of their Balance Sheet or Balance Sheets for the previous Twelvemonth, and a Statement of the Special Fund and of the other Funds of the Company, and

and of the actual State of Investment of such Funds, such Balance Sheet and Statement to be verified by the Auditor or Auditors of the Company.

Regulations as to Special Fund.

4. With respect to the Special Fund, the following Enactment shall be made:

(1.) The Special Fund shall be invested in the Public Funds or Government Securities of Great Britain or Ireland in the Name of such Three or more of the Directors of the Company as are from Time to Time named by the Treasury:

(2.) Provision shall be made for securing that no Part of the Securities in which the Special Fund is invested shall be sold without the Consent of the Treasury signified in Writing under the Hand of One of the Secretaries or Under Secretaries of the Treasury:

(3.) The Amount of the Special Fund shall not at the Time that any Guarantee of the Company is accepted in pursuance of this Act be less than Ten thousand Pounds, and in each Year after the Special Fund is formed a Sum of One thousand Pounds out of the Assets or Income of the Company shall be added to the Special Fund, and invested as before mentioned until the Sum invested on account of the Special Fund amounts to Twenty thousand Pounds:

(4.) The Special Fund shall be liable, after the other Assets of the Company are exhausted, to meet all Claims under Guarantees given in pursuance of this Act, and all such Claims, whether accrued or contingent, shall be a First Charge upon the Special Fund.

Amount of Guarantee for any One Person.

5. The Amount which may be guaranteed under this Act in respect of any One Person shall not—

(*a.*) If the Amount invested on account of the Special Fund in manner in this Act provided is less than Twenty thousand Pounds, exceed Two thousand Pounds:

(*b.*) If the Amount so invested amounts to Twenty thousand Pounds and is less than Fifty thousand Pounds, exceed Five thousand Pounds:

(*c.*) In any Case exceed Ten thousand Pounds:

And where any Guarantee has been given in respect of any One Person for a Sum exceeding Two thousand Pounds or Five thousand Pounds respectively, the Amount so invested on account of the Special Fund shall not during the Pendency of such Guarantee be reduced below Twenty thousand Pounds or Fifty thousand Pounds respectively.

 6. The

Form of Guarantee.

6. The Guarantee may be given by such Document under the Seal of the Company and in such Form as the Employer may direct; it may be given either to the Employer or to such Person as the Employer may direct. In the Case of Persons having an Office or Employment in the Public Service, it may be given either to Her Majesty, Her Heirs and Successors, or to the Employer, or to such Officer as the Employer may direct. If it is given to the Employer or any other Officer, it shall be given to him as Holder of his Office, and his Successors in Office shall be solely entitled to the Guarantee, and may sue thereon in the same Manner as if the Holder of such Office were a Corporation sole.

Amount of Loss may be certified.

7. Where a Company has given a Guarantee in pursuance of this Act with respect to any Person having an Office or Employment in the Public Service, and any Loss accrues owing to some Act or Default of such Person which constitutes a Breach of the Guarantee, the Employer may certify under his Hand the Amount due in respect of such Loss from the Guarantor, and such Certificate shall in all legal Proceedings be conclusive Evidence of such Amount being due from the Guarantor.

Treasury may issue Regulations.

8. The Treasury may issue Regulations with respect to the Acceptance and Form of any Guarantee under this Act, and with respect to the Persons who are to give Certificates of Loss, and all such Regulations shall be binding on all Persons having any Office or Employment in the Public Service, or on that Class of Persons to which they are made applicable.

Treasury may certify Compliance of Company.

9. The Treasury, on Proof to their Satisfaction that a Company complies with the Conditions required by this Act, may give a Certificate to that Effect; such Certificate of Compliance shall be given under the Hand of One of the Secretaries or Under Secretaries of the Treasury, and shall be published in such Manner as the Treasury direct, and after such Publication the Company named therein shall be deemed to have complied with the Conditions of this Act.

Inspection of Accounts by Treasury, and Certificate of Non-compliance with Conditions.

10. The Treasury may from Time to Time appoint an Inspector, who may inspect and examine all the Accounts and Books, and may examine the Officers and Servants of a Company who gives Guarantees under this Act, and may examine the Officers and Servants of such Company, and the Company shall pay to the Inspector such Remuneration as the Treasury may fix.

If any such Company obstruct such Inspector in his Inspection or Examination, or if, on the Report of an Inspector or otherwise, the Treasury are satisfied that any such Company does not comply with the

the Conditions of this Act, the Treasury may give a Certificate to that Effect; such Certificate shall be given and published in the same Manner as a Certificate of Compliance, and after the Date of the Publication thereof the Company named therein shall be deemed not to comply with the Conditions of this Act, and shall not give any Guarantees under this Act until the Treasury give them a Certificate of Compliance.

If any Company which does not comply with the Provisions of this Act gives a Guarantee in any Case in which by any Law or Custom a Guarantee by a Company cannot be accepted except under the Authority of Parliament, the Company shall forfeit to the Use of Her Majesty all Premiums or other Sums received in respect of such Guarantee, and every Director or other Person who is knowingly concerned in the giving or accepting such Guarantee shall be liable on summary Conviction to a Penalty not exceeding Five Pounds: Provided, that this Section shall not affect the Validity as against the Company of any Guarantee.

Saving.

11. Nothing in this Act contained shall affect the Right of giving or accepting any Guarantee in any Case where a Guarantee by a Company might be given or accepted without the Authority of Parliament.

Repeal.

12. All Acts and Parts of Acts inconsistent with this Act are hereby repealed, but without Prejudice to anything already done or suffered, or to any Right already acquired or accrued.

Short Title.

13. This Act may be cited for all Purposes as "The Guarantee by Companies Act, 1867."

Guarantee of Government Officers.

A

BILL

To provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations.

(*Prepared and brought in by Mr. John Abel Smith and Mr. Hankey.*)

Ordered, by The House of Commons, *to be Printed,* 2 *July* 1867.

[Bill 223.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations.

WHEREAS Persons having Offices or Employments in the Public Service are frequently required to give Security by means of Sureties for the due Performance of the Duties of such Offices or Employments; and it is expedient that the Guarantee of Companies which comply with certain Conditions should be authorized to be accepted in lieu of such Sureties: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The following Terms shall in this Act, unless the Context otherwise requires, have the Meanings hereby assigned to them; that is to say, Definitions:

The Term "Company" shall mean and include any Company, Corporation, Society, or Association incorporated by Act of Parliament or by Royal Charter, or under any Act relating to Joint Stock Companies: "Company:"

"Directors:" The Term "Directors" shall include the Managing Body of any Company:

"Office or Employment in the Public Service:" The Term "Office or Employment in the Public Service" shall mean every Office or Employment which is remunerated out of the Consolidated Fund, or out of Monies provided by Parliament, or out of or by Fees authorized by some Public Act of Parliament, or by some Order made thereunder:

"The Treasury." The Term "the Treasury" shall mean the Lord High Treasurer or the Commissioners of the Treasury for the Time being.

Security for certain Officers may be accepted from Companies who comply with Conditions.

2. Where any Person has any Office or Employment in the Public Service, and such Person is required to give Security by means of a Surety or Sureties for the due Performance of the Duties of such Office or Employment, the Head of Department or other Person in whom is vested the Discretion of determining the Nature, Amount, or Sufficiency of the Security (herein-after referred to as "the Employer") may, in the Exercise of such Discretion, accept as Security the Guarantee of any Company which complies with the Conditions contained in this Act, and may fix in each Case the Amount to be guaranteed.

Conditions on which Guarantee of Company may be accepted.

3. The Conditions on which the Guarantee of a Company may be accepted under this Act are as follows:

(1.) The Capital which has been actually subscribed must not be less than Fifty thousand Pounds:

(2.) The Amount of Capital paid up must not be less than Twenty thousand Pounds:

(3.) The Company shall set aside a Special Fund of such Amount and invested in such Manner as is herein-after mentioned:

(4.) The Amount of any one Guarantee shall not exceed the Sums herein-after mentioned:

(5.) The Company shall within Three Weeks after their First Meeting in every Year send to the Treasury such List of the Members of the Company and Summary of Particulars as is required by the Twenty-sixth Section of The Companies Act, 1862, to be sent to the Registrar, and also a Copy of their Balance Sheet or Balance Sheets for the previous Twelvemonth, and a Statement of the Special Fund and of the other Funds of the Company, and of the actual State of Investment of such Funds, such Balance Sheet and Statement to be verified by the Auditor or Auditors of the Company.

4. With

Regulations as to Special Fund.

4. With respect to the Special Fund, the following Enactment shall be made:

(1.) The Special Fund shall be invested in the Public Funds or Government Securities of Great Britain or Ireland in the Name of such Three or more of the Directors of the Company as are from Time to Time named by the Treasury, and in the Matter of this Act, and the Dividends thereon shall be paid to the said Directors, but no Part of the Securities in which the Special Fund is invested shall be sold without the Consent of the Treasury, signified in Writing under the Hand of One of the Secretaries or Under Secretaries of the Treasury:

(2.) The Amount of the Special Fund shall not at the Time that any Guarantee of the Company is accepted in pursuance of this Act be less than Ten thousand Pounds, and in each Year after the Special Fund is formed a Sum of One thousand Pounds out of the Assets or Income of the Company shall be added to the Special Fund, and invested as before mentioned until the Sum invested on account of the Special Fund amounts to Twenty thousand Pounds:

(3.) The Special Fund shall be liable, after the other Assets of the Company are exhausted, to meet all Claims under Guarantees given in pursuance of this Act, and all such Claims, whether accrued or contingent, shall be a First Charge upon the Special Fund.

Amount of Guarantee for any One Person.

5. The Amount which may be guaranteed under this Act in respect of any One Person shall not—

(*a.*) If the Amount invested on account of the Special Fund in manner in this Act provided is less than Twenty thousand Pounds, exceed Two thousand Pounds:

(*b.*) If the Amount so invested amounts to Twenty thousand Pounds and is less than Fifty thousand Pounds, exceed Five thousand Pounds:

(*c.*) In any Case exceed Ten thousand Pounds:

And where any Guarantee has been given in respect of any One Person for a Sum exceeding Two thousand Pounds or Five thousand Pounds respectively, the Amount so invested on account of the Special Fund shall not during the Pendency of such Guarantee be reduced below Twenty thousand Pounds or Fifty thousand Pounds respectively.

Form of Guarantee.

6. The Guarantee may be given by such Document under the Seal of the Company and in such Form as the Employer may direct, and

and it may be given either to Her Majesty, Her Heirs and Successors, or to the Employer, or to such Officer as the Employer may direct.

Amount of Loss may be certified.

7. Where a Company has given a Guarantee in pursuance of this Act with respect to any Person having an Office or Employment in the Public Service, and any Loss accrues owing to some Act or Default of such Person which constitutes a Breach of the Guarantee, the Employer may certify under his Hand the Amount due in respect of such Loss from the Guarantor, and such Certificate shall be conclusive Evidence of such Amount being due from the Guarantor; and on Payment by the Company of the Amount specified in such Certificate all Rights and Remedies to which the Employer is or may be entitled on account of the Defaulter shall vest in the Company, and the Receipt of the Employer for the Amount paid shall be conclusive Evidence of such Payment.

Treasury may issue Regulations.

8. The Treasury may issue Regulations with respect to the Acceptance and Form of any Guarantee under this Act, and with respect to the Persons who are to give Certificates of Loss, and all such Regulations shall be binding on all such Persons having any Office or Employment in the Public Service, or on that Class of Persons to which they are made applicable.

Treasury may certify Compliance of Company.

9. The Treasury, on Proof to their Satisfaction that a Company complies with the Conditions required by this Act, may give a Certificate to that Effect; such Certificate of Compliance shall be given under the Hand of One of the Secretaries or Under Secretaries of the Treasury, and shall be published in such Manner as the Treasury direct, and after such Publication the Company named therein shall be deemed to have complied with the Conditions of this Act.

Inspection of Accounts by Treasury, and Certificate of Non-compliance with Conditions.

10. The Treasury may from Time to Time appoint an Inspector, who may inspect and examine all the Accounts and Books of a Company who gives Guarantees under this Act, and may examine the Officers and Servants of such Company, and the Company shall pay to the Inspector such Remuneration as the Treasury may fix.

If any such Company obstruct such Inspector in his Inspection or Examination, or if, on the Report of an Inspector or otherwise, the Treasury are satisfied that any such Company does not comply with the Conditions of this Act, the Treasury may give a Certificate to that Effect; such Certificate shall be given and published in the same Manner as a Certificate of Compliance, and after the Date of the Publication thereof the Company named therein shall be deemed not to comply with the Conditions of this Act, and shall not give any

Guarantees

Guarantees under this Act until the Treasury give them a Certificate of Compliance.

11. Nothing in this Act contained shall affect the Right of giving or accepting any Guarantee in any Case where a Guarantee by a Company might be given or accepted without the Authority of Parliament. Saving.

12. All Acts and Parts of Acts inconsistent with this Act are hereby repealed, but without Prejudice to anything already done or suffered, or to any Right already acquired or accrued. Repeal.

13. This Act may be cited for all Purposes as "The Guarantee by Companies Act, 1867." Short Title.

Guarantee of Government Officers.

A

BILL

[AS AMENDED IN COMMITTEE]

To provide for the Guarantee of Persons holding Situations of Trust under Government by Companies, Societies, or Associations.

(*Prepared and brought in by Mr. John Abel Smith and Mr. Hankey.*)

Ordered, by The House of Commons, *to be Printed*, 25 *July* 1867.

[Bill 283.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

GUARANTEE OF GOVERNMENT OFFICERS BILL.

Note.—*The Page and Line refer to the Bill* (297.) *as first printed by the Lords.*

Page 2.

Line 14. After ("Person") insert ("or Persons")

Line 15. Leave out ("or") and insert ("and")

Line 18. After ("Act") insert ("and which has received a Certificate from the Treasury as herein-after provided")

Line 27. After ("mentioned") insert ("and in any Case in which the Amount of Capital paid up shall be less than Thirty thousand Pounds the First Ten thousand Pounds set aside for the Creation of such Special Fund shall be raised by new Calls on the existing Capital of the Company, or by Calls on new Capital created for that Purpose, or by both")

Page 3.

Line 16. After ("of") insert ("not less than")

Line 20. After ("Pounds") insert ("and the said Fund may be further increased in such Manner as the Company may direct")

Line 24. Leave out ("a First") and insert ("the sole")

Line 25. After ("Fund") add ("so long as there are any such Guarantees given by the Company")

Line 30. Leave out ("Two thousand") and insert ("One thousand five hundred")

Line 32. Leave out ("Fifty") and insert ("Thirty"), and Leave out ("Five") and insert ("Three")

Line 33. After ("Pounds") add

(*c.*) If the Amount so invested amounts to Thirty thousand Pounds and is less than Fifty thousand Pounds, exceed Five thousand Pounds")

Line 36. Leave out ("Two") and insert ("Fifteen hundred Pounds Three")

Line 39. After ("Pounds") insert ("Thirty thousand Pounds")

Page 4.

Line 22. After ("may") insert ("if they shall think fit")

Line 24. Leave out ("or Under Secretaries")

[Bill 314.]

LORDS AMENDMENTS

TO THE

GUARANTEE OF GOVERNMENT OFFICERS BILL.

Ordered, by The House of Commons, *to be Printed*,
13 *August* 1867.

[Bill 314.]

Under 1 *oz.*

A

BILL

Further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower "the Lord Lieutenant or other Chief Governor "or Governors of Ireland to apprehend, and "detain for a limited Time, such Persons "as he or they shall suspect of conspiring "against Her Majesty's Person and Govern-"ment."

WHEREAS an Act was passed in the last Session of Parliament, Chapter One, intituled "An Act to empower "the Lord Lieutenant or other Chief Governor or "Governors of Ireland to apprehend, and detain for a limited "Time, such Persons as he or they shall suspect of conspiring "against Her Majesty's Person and Government:" Preamble.

And whereas by an Act passed in the same Session of Parliament, Chapter One hundred and nineteen, the Powers and Provisions of the said first-recited Act were continued until the Expiration

of Twenty-one Days after the Commencement of the present Session of Parliament, and the same will accordingly expire on the Twenty-sixth Day of February One thousand eight hundred and sixty-seven:

And whereas the treasonable Conspiracy in the first-recited Act mentioned still exists, and it is therefore expedient to continue the said Powers and Provisions for a further limited Period:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Act further continued until 1st June 1867.

1. The first-recited Act, and the several Powers and Provisions therein contained, shall continue in force until the *First Day of June One thousand eight hundred and sixty-seven*, and the said Act shall be read and construed as if the Words "the *First Day of June* "*One thousand eight hundred and sixty-seven*" were throughout the said Act substituted for the Words "the First of September One "thousand eight hundred and sixty-six."

Habeas Corpus Suspension (Ireland) Act Continuance.

A

B I L L

To further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower the "Lord Lieutenant or other Chief "Governor or Governors of Ireland "to apprehend, and detain for a "limited Time, such Persons as he "or they shall suspect of conspiring "against Her Majesty's Person and "Government."

(*Prepared and brought in by Lord Naas and Mr. Solicitor General for Ireland.*)

Ordered, by The House of Commons, *to be Printed*, 20 *February* 1867.

[Bill 35.]

Under 1 *oz.*

A

BILL

TO

Further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower "the Lord Lieutenant or other Chief Governor "or Governors of Ireland to apprehend, and "detain for a limited Time, such Persons as "he or they shall suspect of conspiring against "Her Majesty's Person and Government."

WHEREAS an Act was passed in the last Session of Parliament, Chapter One, intituled "An Act to empower "the Lord Lieutenant or other Chief Governor or "Governors of Ireland to apprehend, and detain for a limited "Time, such Persons as he or they shall suspect of conspiring "against Her Majesty's Person and Government:" Preamble. 29 & 30 Vict. c. 1.

And whereas by an Act passed in the same Session of Parliament, Chapter One hundred and nineteen, the Powers and Provisions of the said first-recited Act were continued until the Expiration of Twenty-one Days after the Commencement of the present Session: 29 & 30 Vict. c. 119.

And

30 Vict. c. 1.

And whereas by an Act passed in the present Session of Parliament, Chapter One, intituled "An Act to further continue the Act "of the Twenty-ninth Year of the Reign of Her present Majesty, "Chapter One, intituled 'An Act to empower the Lord Lieutenant "'or other Chief Governor or Governors of Ireland to apprehend, "'and detain for a limited Time, such Persons as he or they shall "'suspect of conspiring against Her Majesty's Person and Govern-"'ment,'" the Powers and Provisions of the said first-recited Act were continued until the First Day of June One thousand eight hundred and sixty-seven, and it is expedient to continue the same for a further limited Period:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Continuation of 29 Vict. c. 1.

1. The first-recited Act, and the several Powers and Provisions therein contained, shall continue in force until the *First Day of March One thousand eight hundred and sixty-eight*, and the said Act shall be construed as if the Words "until the First Day of March "One thousand eight hundred and sixty-eight" were throughout the said Act substituted for the Words "until the First Day of "September One thousand eight hundred and sixty-six."

All Prisoners under this Act to be treated as untried Prisoners.

2. All Prisoners at present in Confinement under the Warrant of the Lord Lieutenant of Ireland by virtue of the Powers of the first-recited Act, or who shall be hereafter arrested and committed to Prison in pursuance of same or of this Act, shall while in such Confinement be treated as untried Prisoners.

Habeas Corpus Suspension (Ireland) Act Continuance (No. 2.)

A

BILL

To further continue the Act of the Twenty-ninth Year of the Reign of Her present Majesty, Chapter One, intituled "An Act to empower the "Lord Lieutenant or other Chief "Governor or Governors of Ireland "to apprehend, and detain for a "limited Time, such Persons as he "or they shall suspect of conspiring "against Her Majesty's Person and "Government."

(*Prepared and brought in by Lord Naas and the Attorney General for Ireland.*)

Ordered, by The House of Commons, *to be Printed,* 21 *May* 1867.

[Bill 165.]

Under 1 *oz.*

121

Hours of Labour Regulation Bill.

ARRANGEMENT OF CLAUSES.

Clauses.
1. Title of Act.
2. Extent of Act.
3. Commencement of Act.
4. General Definitions.
5. Application of Act.
6. Regulations as to Time of Labour.
7. Penalty for Employment of Children, Young Persons, and Women contrary to the Provisions of this Act.
8. Provision as to Male Young Persons working at Night.
9. Provision with respect to Use of Fan in grinding.
10. Power to Officers of Local Authority to enter Workshop.
11. Entry of Inspector or Sub-Inspector of Factories.
12. Recovery and Application of Penalties.
13. Description of Local Authority.
14. Local Authority to enforce Act.
15. Provision as to pleading that Workshop is a Factory.

SCHEDULE.

A

B I L L

FOR

Regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops ; and for other Purposes relating thereto.

WHEREAS by The Factory Acts Extension Act, 1867, Provision is made, amongst other things, for regulating the Hours during which Children, Young Persons, and Women are permitted to labour in any manufacturing Process conducted in an Establishment where One hundred or more Persons are employed: Preamble.

And whereas it is expedient to extend Protection so far as respects the Regulation of the Hours of Labour to Children, Young Persons, and Women working in smaller Establishments, and further to make Provision respecting the Employment of a Fan or other mechanical Means for the Prevention of the Inhalation of Dust by Workmen in Processes of Grinding:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Workshop Regulation Act, 1867." Short Title of Act.

2. This Act shall apply to the whole of the United Kingdom. Extent of Act.

 3. This

Commencement of Act.

3. This Act shall come into operation on the *First of January One thousand eight hundred and sixty-eight.*

General Definitions.

4. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them, unless there is something in the Context inconsistent with such Meanings; that is to say,

"Child" shall mean a Child under the Age of Thirteen Years:

"Young Person" shall mean a Person of the Age of Thirteen Years and under the Age of Eighteen Years:

"Woman" shall mean a Female of the Age of Eighteen Years or upwards:

"Parent" shall mean Parent, Guardian, or Person having the Custody of or Control over any such Child or Young Person:

"Employed" shall mean occupied in any Work, whether for Wages or not, and whether under a Master or under a Parent as herein defined:

"Handicraft" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, or ornamenting any Article:

"Workshop" shall mean any Place whatever, whether in the open Air or being a Building or Part of a Building in which any Handicraft is carried on:

"Occupier of a Workshop" shall include any Person in possession of such Workshop or having the Management thereof, or the Control of the Persons working therein:

"The Court" shall include any Justice or Justices, Sheriff or Sheriff Substitute, Magistrate or Magistrates, to whom Jurisdiction is given by this Act.

Application of Act.

5. This Act shall not apply,

(1.) To any Factory or Part of a Factory, or other Place subject to the Jurisdiction of the Inspectors of Factories in pursuance of any Act of Parliament:

(2.) To any Bakehouse as defined by "The Bakehouse Regulation Act, 1863."

Regulations as to Time of Labour.

6. The following Regulations shall be observed with respect to the Employment of Children, Young Persons, and Women in Workshops:

(1.) No Child under the Age of *Eight Years* shall be employed in any Handicraft:

(2.) No Child shall be employed on any One Day in any Handicraft except for a Period of not more than *Six and a Half Hours*,

Hours, and such Employment shall take place between the Hours of *Six* in the Morning and *Eight* at Night:

(3.) No Young Person or Woman shall be employed in any Handicraft during any Period of Twenty-four Hours for more than *Twelve Hours*, with intervening Periods for taking Meals and Rest amounting in the whole to not less than *One Hour and a Half*, and, with the Exceptions herein-after mentioned in the Case of Male Young Persons, such Employment shall take place only between the Hours of *Six* in the Morning and *Nine* at Night:

(4.) No Child, Young Person, or Woman shall be employed in any Handicraft after *Two o' Clock* on Saturday Afternoon:

Provided, firstly, that during the first *Six* Calendar Months next ensuing the *First Day of January One thousand eight hundred and sixty-eight*, Children of not less than *Eleven* Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act:

Secondly, that during the first *Thirty* Calendar Months next ensuing the *First Day of January One thousand eight hundred and sixty-eight*, Children of not less than *Twelve* Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act.

Penalty for Employment of Children, Young Persons, and Women contrary to the Provisions of this Act.

7. If any Child, Young Person, or Woman is employed in contravention of this Act the following Consequences shall ensue:

First. The Occupier of the Workshop in which such Child, Young Person, or Woman is employed shall be liable to a Penalty of not more than *Three Pounds:*

Second. The Parent of or the Person deriving any direct Benefit from the Labour of or having the Control over the Child, Young Person, or Woman shall be liable to a Penalty of not more than *Twenty Shillings*, unless it appears to the Court before whom the Complaint is heard that the Offence has been committed without the Consent, Connivance, or wilful Default of the Parent or Person so benefited, or having such Control.

Provision as to Male Young Persons working at Night.

8. In Letter-press Printing and in any Workshop in which the mechanical Power is Water, and in any Workshop or Class of Workshops with respect to which One of Her Majesty's Principal Secretaries of State certifies by Licence under his Hand that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the

Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than *Six* Nights in any Fortnight.

For the Purposes of this Section Night shall mean any Time between Eight o'Clock in the Afternoon of One Day and Six o'Clock of the Morning of the following Day.

Provision with respect to use of Fan in grinding.

9. In every Workshop where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to the Local Authority that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Local Authority, by Notice served on the Occupier of the Workshop in the Manner in which Notices given by such Local Authority are usually served, to require a Fan or such mechanical Means as may from Time to Time be approved by One of Her Majesty's Principal Secretaries of State, under the Provisions of the Factory Acts, to be provided by the Occupier of the Workshop within a reasonable Time.

If the Occupier of any Workshop fails to provide a Fan or other mechanical Means in compliance with a Notice served on him in manner aforesaid he shall be deemed to be guilty of an Offence against this Act, and to be subject in respect of such Offence to a Penalty not exceeding *Ten Pounds* nor less than *Three Pounds*.

The Court having Jurisdiction to inflict any Penalty under this Act may, in addition to or instead of inflicting such Penalty in respect of an Offence under this Section, make an Order directing that within a certain Time to be named in such Order he do provide such Fan or other mechanical Means: The Court may upon Application enlarge any Time appointed for the Adoption of the Means directed by the Order, but any Non-compliance with the Order of the Court shall, after the Expiration of the Time as originally limited or enlarged by subsequent Order, be deemed to be a continuing Offence, and to be punishable by a Penalty not exceeding *One Pound* for every Day that such Non-compliance continues.

Power of Officers of Local Authority to enter Workplace.

10. If, on the Complaint of any Officer of Health, Inspector of Nuisances, or other Officer appointed by a Local Authority, or of any Superintendent of Police, or, in case of a Workshop in which less than Twenty Workmen are employed, of any Inspector or Sub-Inspector of Factories, it appears to any Justice of the Peace that there

there is reasonable Cause for believing that any of the Provisions of this Act or of the Sanitary Act, 1866, are contravened in any Workshop, it shall be lawful for such Justice, by Order under his Hand, to empower the Complainant either alone, or accompanied by any Constable, to enter into such Workshop at any Time within Forty-eight Hours from the Date of such Order, and to examine such Workshop; and any Person so empowered, herein-after called the Inspector, may take with him any Constable or Peace Officer, and he may examine any Person whom he finds in such Workshop or in the House in which such Workshop is situate.

Any Person refusing Admission to any Inspector or obstructing him in his Examination shall, for each Offence, incur a Penalty of not less than *One Pound* and not exceeding *Twenty Pounds.*

Entry of Inspector or Sub-Inspector of Factories.

11. Any Inspector or Sub-Inspector of Factories may at all Times during the Hours of Business enter any Workshop where *Twenty* or more Persons are employed, and inspect the Condition thereof, and examine the Persons therein, provided that he report to One of Her Majesty's Principal Secretaries of State the Fact of such Entry, and the Condition of the Workshop.

Any Person obstructing any Inspector or Sub-Inspector in making such Entry as aforesaid, or in his Inspection of a Workshop, shall for each Offence be liable to a Penalty not exceeding *Five Pounds.*

Recovery and Application of Penalties.

12. All Penalties under this Act may be recovered summarily as to England before Two or more Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act to facilitate the Performance of the Duties "of Justices of the Peace out of Sessions within England and "Wales with respect to summary Convictions and Orders," or any Act amending the same; as to Scotland in manner directed by "The Summary Procedure Act, 1864," as to Ireland in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, intituled "An Act to consolidate and amend the Acts "regulating the Proceedings of Petty Sessions and the Duties of "Justices of the Peace out of Quarter Sessions in Ireland," or any Act amending the same.

The Court imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards the Payment of such Costs of the Proceedings as the Court thinks just (including Compensation for Loss of Time to the Person upon whose Information such Penalty was recovered), and, subject as aforesaid, all

Penalties shall be applied in the Manner directed by the Acts referred to in this Section.

Description of Local Authority.

13. For the Purposes of this Act, in the several Places mentioned in the First Column of the Schedule hereto annexed, the Local Authority shall be the Bodies of Persons or Persons in that Behalf specified in the Second Column of the same Schedule, and such Schedule, with the Explanation annexed thereto, shall be deemed to be Part of this Act.

Local Authority to enforce Act.

14. It shall be the Duty of the Local Authority to enforce within their Jurisdictions the Provisions of this Act, and all Expenses incurred by them in enforcing the same may be defrayed out of any Funds in their Hands, or any Rates leviable by them and applicable to any Purpose relating to the Improvement, paving, cleansing, or Management of the Places within their Jurisdiction, or, in Cases where the Local Authority is in the Receipt of any Poor Rate, out of any such Rate.

Provision as to pleading that Workshop is a Factory.

15. Where any Proceedings are taken against any Person in respect of any Offence under this Act committed in or relating to a Workshop, it shall not be competent for the Defendant to prove that such Workshop is a Factory within the Meaning of any Act for regulating Factories unless he has previously given Notice of its being a Factory to the Inspector of Factories in manner required by any Act of Parliament in that Behalf.

SCHE-

SCHEDULE referred to in the preceding Act.

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
ENGLAND AND WALES.	
The City of London and the Liberties thereof.	Commissioners of Sewers of the City of London.
Parishes within the Metropolis mentioned in Schedule (A.) to The Metropolis Local Management Act, 1855.	The Vestries incorporated by The Metropolis Local Management Act, 1855.
Districts within the Metropolis formed by the Union of the Parishes mentioned in Schedule (B.) to The Metropolis Local Management Act, 1855.	The Board of Works for the District incorporated by The Metropolis Local Management Act, 1855.
Boroughs - - - - -	The Mayor, Aldermen, and Burgesses, acting by the Council.
Any Place not included in the above Descriptions, and within the Jurisdiction of a Local Board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or One of such Acts.	The Local Board.
Any Place not included in the above Descriptions, and under the Jurisdiction of Commissioners, Trustees, or other Persons entrusted by any Local Act with Powers of improving, cleansing, or paving any Town.	The Commissioners, Trustees, or other Persons entrusted by the Local Act, with Powers of improving, cleansing, or paving the Town.
Any Parish not within the Jurisdiction of any Local Authority herein-before mentioned, and in which a Rate is levied for the Maintenance of the Poor.	The Vestry, Select Vestry, or other Body of Persons, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry.
SCOTLAND.	
Burghs - - - - -	The Magistrates and Town Council.
Places where Police Commissioners or Trustees exercise the Functions of Police Commissioners acting under "The General Police and Improvement (Scotland) Act," or Trustees or Commissioners acting under any General or Local Act.	The Police or other Commissioners or Trustees.
Any Place not within the Jurisdiction of the above-mentioned Local Authority.	The Parochial Board having Jurisdiction in that Place.

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
IRELAND.	
The City of Dublin	The Right Honourable the Lord Mayor Aldermen, and Burgesses, acting by the Town Council.
Towns Corporate with Exception of Dublin.	The Mayor, Aldermen, and Burgesses, acting by the Town Council.
Towns having Town Commissioners under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners.
Townships having Commissioners under Local Acts.	The Township Commissioners.
Towns under such Commissioners	The Commissioners appointed by virtue of an Act made in the 9th Year of the Reign of George the Fourth, intituled "An Act to make Provision for the lighting, cleansing, and watching of Cities and Towns Corporate and Market Towns in Ireland in certain Cases."
Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners.
Any Place not included in the foregoing Descriptions.	The Guardians of the Poor of each Union.

Explanation.

In this Schedule the following Words shall have the Meanings herein-after assigned to them; that is to say,

(1.) "The Metropolis" shall not include the City of London or the Liberties thereof, but shall include all other Parishes or Places within the Jurisdiction of the Metropolitan Board of Works.

(2.) "The Metropolis Local Management Act" shall mean the Act of the Session of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, intituled "An Act for the better Local Management of the "Metropolis."

(3.) "Borough" in England shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Seventy-six, intituled "An Act to provide for the "Regulation of Municipal Corporations in England and Wales."

(4.) "Burgh" in Scotland shall mean any Place returning or contributing to return Members to Parliament.

Hours of Labour Regulation.

A

BILL

For regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto.

(*Prepared and brought in by Mr. Secretary Walpole, Lord John Manners, and Sir John Pakington.*)

Ordered, by The House of Commons, *to be Printed,* 1 *March* 1867.

[Bill 63.]

Under 2 *oz.*

133

Hours of Labour Regulation Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.
Preamble.
1. Short Title of Act.
2. Extent of Act.
3. Commencement of Act.
4. General Definitions.
5. Application of Act.
6. Regulations as to Time of Labour.
7. Penalty for Employment of Children, Young Persons, and Women contrary to the Provisions of this Act.
8. Provision with respect to Use of Fan in grinding.
9. Power of Officers of Local Authority to enter Workshop.
10. Entry of Inspector or Sub-Inspector of Factories.
11. Liability of Hirer of Machine instead of Occupier.—CLAUSE A.
12. Recovery and Application of Penalties.
13. Description of Local Authority.
14. Regulations for Attendance at School of Children employed in Workshops.—CLAUSE B.
15. Parent to cause Child to attend School.—CLAUSE C.
16. Occupier of Workshop has to obtain Certificates of Attendance of Child at School.—CLAUSE D.
17. On Application of Teacher, Occupier to pay Sum for Schooling of Child and deduct it from Wages. Inspector may disqualify for granting Certificates any Teacher who is unfit. Penalty for forging, &c. Certificate.—CLAUSE E.
18. Local Authority to enforce Act.
19. Provision as to pleading that Workshop is a Factory.
SCHEDULES.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops ; and for other Purposes relating thereto.

WHEREAS by The Factory Acts Extension Act, 1867, Provision is made, amongst other things, for regulating the Hours during which Children, Young Persons, and Women are permitted to labour in any manufacturing Process conducted in an Establishment where One hundred or more Persons are employed : Preamble.

And whereas it is expedient to extend Protection so far as respects the Regulation of the Hours of Labour to Children, Young Persons, and Women working in smaller Establishments, and further to make Provision respecting the Employment of a Fan or other mechanical Means for the Prevention of the Inhalation of Dust by Workmen in Processes of Grinding :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

 1. This

Short Title of Act.

1. This Act may be cited for all Purposes as "The Workshop Regulation Act, 1867."

Extent of Act.

2. This Act shall apply to the whole of the United Kingdom.

Commencement of Act.

3. This Act shall come into operation on the First of January One thousand eight hundred and sixty-nine.

General Definitions.

4. The following Words and Expressions shall in this Act have the Meanings hereby assigned to them, unless there is something in the Context inconsistent with such Meanings; that is to say,

"Child" shall mean a Child under the Age of Thirteen Years:

"Young Person" shall mean a Person of the Age of Thirteen Years and under the Age of Eighteen Years:

"Woman" shall mean a Female of the Age of Eighteen Years or upwards:

"Parent" shall mean Parent, Guardian, or Person having the Custody of or Control over any such Child or Young Person:

"Employed" shall mean occupied in any Handicraft, whether for Wages or not, under a Master or under a Parent as herein defined:

"Handicraft" shall mean any Manual Labour exercised by way of Trade or for Purposes of Gain in or incidental to the making any Article or Part of an Article, or in or incidental to the altering, repairing, ornamenting, finishing, or otherwise adapting for Sale any Article:

"Workshop" shall mean any Room or Place whatever, whether in the open Air or under Cover, in which any Handicraft is carried on:

"The Court" shall include any Justice or Justices, Sheriff or Sheriff Substitute, Magistrate or Magistrates, to whom Jurisdiction is given by this Act.

Application of Act.

5. This Act shall not apply,

(1.) To any Factory or Part of a Factory, or other Place subject to the Jurisdiction of the Inspectors of Factories in pursuance of any Act of Parliament:

(2.) To any Bakehouse as defined by "The Bakehouse Regulation Act, 1863."

Regulations as to Time of Labour.

6. Subject to the Exceptions mentioned in the First Schedule annexed hereto, the following Regulations shall be observed with respect to the Employment of Children, Young Persons, and Women in Workshops:

(1.) No

(1.) No Child under the Age of Eight Years shall be employed in any Handicraft:

(2.) No Child shall be employed on any One Day in any Handicraft both before and after One o'Clock in the Afternoon, nor for a Period of more than Six and a Half Hours, and such Employment shall take place between the Hours of Six in the Morning and Eight at Night:

(3.) No Young Person or Woman shall be employed in any Handicraft during any Period of Twenty-four Hours for more than Twelve Hours, with intervening Periods for taking Meals and Rest amounting in the whole to not less than One Hour and a Half, and such Employment shall take place only between the Hours of Six in the Morning and Eight at Night:

(4.) No Child, Young Person, or Woman shall be employed in any Handicraft on Sunday, or after Two o'Clock on Saturday Afternoon:

(5.) No Child under the Age of Eleven Years shall be employed in the Metal Trades or in Fustian Cutting.

Penalty for Employment of Children, Young Persons, and Women contrary to the Provisions of this Act.

7. If any Child, Young Person, or Woman is employed in contravention of this Act the following Consequences shall ensue:

First, the Occupier of the Workshop in which such Child, Young Person, or Woman is employed shall be liable to a Penalty of not more than Three Pounds:

Second, the Parent of or the Person deriving any direct Benefit from the Labour of or having the Control over the Child, Young Person, or Woman shall be liable to a Penalty of not more than Twenty Shillings, unless it appears to the Court before whom the Complaint is heard that the Offence has been committed without the Consent, Connivance, or wilful Default of the Parent or Person so benefited, or having such Control.

Provision with respect to Use of Fan in grinding.

8. In every Workshop where grinding, glazing, or polishing on a Wheel, or any other Process is carried on by which Dust is generated and inhaled by the Workmen to an injurious Extent, if it appears to the Local Authority or to any Inspector of Factories that such Inhalation could be to a great Extent prevented by the Use of a Fan or other mechanical Means, it shall be lawful for the Local Authority or for the Inspector of Factories, by Notice served on the Occupier of the Workshop in the Manner in which Notices given by such Local Authority or by the Inspector of Factories are usually served, to require a Fan or such mechanical Means as may from Time to Time be approved by One of Her

Majesty's Principal Secretaries of State, under the Provisions of the Factory Acts, to be provided by the Occupier of the Workshop within a reasonable Time.

If the Occupier of any Workshop fails to provide a Fan or other mechanical Means in compliance with a Notice served on him in manner aforesaid he shall be deemed to be guilty of an Offence against this Act, and to be subject in respect of such Offence to a Penalty not exceeding Ten Pounds nor less than Three Pounds.

The Court having Jurisdiction to inflict any Penalty under this Act may, in addition to or instead of inflicting such Penalty in respect of an Offence under this Section, make an Order directing that within a certain Time to be named in such Order he do provide such Fan or other mechanical Means: The Court may upon Application enlarge any Time appointed for the Adoption of the Means directed by the Order, but any Non-compliance with the Order of the Court shall, after the Expiration of the Time as originally limited or enlarged by subsequent Order, be deemed to be a continuing Offence, and to be punishable by a Penalty not exceeding One Pound for every Day that such Non-compliance continues.

Power of Officers of Local Authority to enter Workshop.

9. If, on the Complaint of any Officer of Health, Inspector of Nuisances, or other Officer appointed by a Local Authority, or of any Superintendent of Police, or it appears to any Justice of the Peace that there is reasonable Cause for believing that any of the Provisions of this Act or of the Sanitary Act, 1866, are contravened in any Workshop, it shall be lawful for such Justice, by Order under his Hand, to empower the Complainant to enter into such Workshop at any Time within Forty-eight Hours from the Date of such Order, and to examine such Workshop; and any Person so empowered may examine, touching any Matter within the Provisions of this Act or of the Sanitary Act, 1866, any Person whom he finds in such Workshop.

Any Person refusing Admission to any Person so empowered, or obstructing him in his Examination, shall for each Offence incur a Penalty not exceeding Twenty Pounds.

Entry of Inspector or Sub-Inspector of Factories.

10. Any Inspector or Sub-Inspector of Factories may, when any Person is at work at any Handicraft, enter any Workshop and inspect the Condition thereof, and examine the Persons therein, provided that he report to One of Her Majesty's Principal Secretaries of State the Fact of such Entry, and the Condition of the Workshop, in his next half-yearly Report.

Any Person obstructing any Inspector or Sub-Inspector in making such Entry as aforesaid, or in his Inspection of a Workshop,

shop, shall for each Offence be liable to a Penalty not exceeding Twenty Pounds.

CLAUSE A. Liability of Hirer of Machine instead of Occupier.

11. Where in any Workshop the Owner or Hirer of any Machine or Implement moved by Steam, Water, or other mechanical Power, in or about or in connexion with which Machine or Implement Children, Young Persons, or Women are employed, is some Person other than the Occupier of the Workshop, and such Children, Young Persons, or Women are in the Employment and Pay of the Owner or Hirer of such Machine or Implement, in any such Case such Owner or Hirer shall, so far as respects any Offence against this Act which may be committed in relation to such Children, Young Persons, or Women, be deemed to be the Occupier of the Workshop.

Recovery and Application of Penalties.

12. All Penalties under this Act may be recovered summarily, as to England before Two or more Justices in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen Victoria, Chapter Forty-three, intituled "An Act to facilitate the Performance of the Duties "of Justices of the Peace out of Sessions within England and "Wales with respect to summary Convictions and Orders," or any Act amending the same; as to Scotland in manner directed by "The Summary Procedure Act, 1864;" as to Ireland in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, intituled "An Act to consolidate and amend the Acts "regulating the Proceedings of Petty Sessions and the Duties of "Justices of the Peace out of Quarter Sessions in Ireland," or any Act amending the same.

The Court imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards the Payment of such Costs of the Proceedings as the Court thinks just (including Compensation for Loss of Time to the Person upon whose Information such Penalty was recovered), and, subject as aforesaid, all Penalties shall be applied in the Manner directed by the Acts referred to in this Section.

Description of Local Authority.

13. For the Purposes of this Act, in the several Places mentioned in the First Column of the Second Schedule hereto annexed, the Local Authority shall be the Bodies of Persons or Persons in that Behalf specified in the Second Column of the same Schedule, and such Schedule, with the Explanation annexed thereto, shall be deemed to be Part of this Act.

CLAUSE B. Regulations for Attendance at School of Children employed in Workshops.

14. The following Regulations shall be made (subject to the Provisions herein-after mentioned) respecting the Education of Children employed in Workshops:

(1.) Every Child who is employed in a Workshop shall attend School for at least Ten Hours in every Week during the whole of which he is so employed:

(2.) In computing for the Purpose of this Section the Time during which a Child has attended School there shall not be included any Time during which such Child has attended either

(*a*) In Excess of Three Hours at any One Time, or in Excess of Five Hours on any One Day; or

(*b*) On Sundays; or

(*c*) Before Eight o'Clock in the Morning, or after Six o'Clock in the Evening:

Provided, that the Non-attendance of any Child at School shall be excused—

(1.) For any Time during which he is certified by the principal Teacher of the School to have been prevented from Attendance by Sickness or other unavoidable Cause:

(2.) For any Time during which the School is closed for the customary Holidays, or for some other temporary Cause:

(3.) For any Time during which there is no School which the Child can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of such Child.

CLAUSE C. Parent to cause Child to attend School.

15. The Parent of every Child employed in a Workshop shall cause that Child to attend School in manner required by this Act.

Every Parent who wilfully fails to act in conformity with this Section shall be liable to a Penalty of not more than Twenty Shillings for each Offence.

CLAUSE D. Occupier of Workshop has to obtain Certificates of Attendance of Child at School. 7 & 8 Vict. c. 15. ss. 31, 39.

16. Every Occupier of a Workshop who has employed a Child for any Time amounting in the whole to not less than Fourteen Days shall on Monday in every Week during the Employment of such Child obtain from the principal Teacher of some School a Certificate that the Child so employed has, in manner required by this Act, attended School during the preceding Week, if Attendance at School was so required during that Week.

The Certificate may be in the Form contained in the Third Schedule hereto, or in such other Form as One of Her Majesty's Principal Secretaries of State may from Time to Time prescribe.

The Employer shall keep the said Certificate for One Month, and shall produce the same to any Inspector or Sub-Inspector of Factories

Factories or any Officer of the Local Authority, or any Superintendent of Police, whenever required by him.

Every Person who acts in contravention of this Section shall be liable to a Penalty of not more than Three Pounds.

CLAUSE E. On Application of Teacher, Occupier to pay Sum for Schooling of Child and deduct it from Wages.

17. The principal Teacher of a School which is attended by any Child employed in a Workshop may apply in Writing to the Occupier of such Workshop to pay such Sum as herein-after mentioned on account of any Child in respect of whom he may have duly granted a Certificate in pursuance of this Act, and after the Date of such Application the Occupier, so long as he employs the Child, shall pay to the principal Teacher of the said School for every Week that the Child attends that School the weekly Sum specified in the Application, not exceeding Twopence per Week, and not exceeding One Twelfth Part of the Wages of the Child. The Occupier may deduct the Sum so paid by him from the Wages payable for the Services of such Child.

Any Occupier who, after such Application, refuses to pay any Sum that may become due as aforesaid, shall be liable to a Penalty not exceeding Ten Shillings.

Inspector may disqualify for granting Certificates any Teacher who is unfit.

If an Inspector of Factories is satisfied, by Inspection of a School or otherwise, that the principal Teacher of a School who grants Certificates of School Attendance required under this Act ought to be disqualified for granting such Certificates for any of the following Reasons; namely,

1. Because he is unfit to instruct Children by reason either of his Ignorance or Neglect, or of his not having the necessary Books and Materials;
2. Because of his immoral Conduct;
3. Because of his continued Neglect to fill up proper Certificates of School Attendance—

in any such Case he may serve on the Teacher a written Notice, stating the Reason for such Disqualification. At the Expiration of Two Weeks from the Date of such Notice the Teacher shall, subject to the Appeal herein-after mentioned, be disqualified for granting Certificates.

The Inspector shall, so far as he can, serve on every Occupier of a Workshop who obtains Certificates from such Teacher a Notice to the like Effect as the Notice served on the Teacher, and also specifying a School which the Child employed in the Workshop of such Occupier can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of the Child.

Any Teacher who is disqualified as aforesaid, and any Occupier of a Workshop who obtains Certificates from him, may, within

Three Weeks after the Service of the Notice on the Teacher, appeal therefrom to One of Her Majesty's Principal Secretaries of State, who may confirm or reverse such Disqualification.

After a Teacher is disqualified for granting Certificates no Certificate given by him shall be deemed to be a Certificate in compliance with this Act, unless in the Case of there being no other School which the Child employed in a Workshop can attend within One Mile (measured according to the nearest Road) from the Workshop or the Residence of such Child, or unless with the written Consent of an Inspector of Factories.

The Inspectors of Factories shall in their Reports to One of Her Majesty's Principal Secretaries of State report the Name of every Teacher disqualified under this Section during the preceding Six Months, the Name of the School at which he taught, and the Reason for the Disqualification; and in the Case of such Teacher's continued Neglect to fill up proper Certificates, shall report the Fact of such Neglect to the Committee of Council on Education.

Penalty for forging, &c. Certificate.

Every Person who forges or counterfeits any Certificate required by this Act, or gives or signs any such Certificate falsely, or wilfully makes use of any forged, counterfeited, or false Certificates, or aids in or connives at any of the foregoing Offences, shall be guilty of a Misdemeanor, and be liable to be imprisoned for any Period not exceeding Three Months, with or without Hard Labour.

Local Authority to enforce Act.

18. It shall be the Duty of the Local Authority to enforce within their Jurisdictions the Provisions of this Act, and all Expenses incurred by them in enforcing the same may be defrayed out of any Funds in their Hands, or any Rates leviable by them and applicable to any Purpose relating to the Improvement, paving, cleansing, or Management of the Places within their Jurisdiction, or, in Cases where the Local Authority is in the Receipt of any Poor Rate, out of any such Rate.

Provision as to pleading that Workshop is a Factory.

19. Where any Proceedings are taken against any Person in respect of any Offence under this Act committed in or relating to a Workshop, it shall not be competent for the Defendant to prove that such Workshop is a Factory within the Meaning of any Act for regulating Factories unless he has previously given Notice of its being a Factory to the Inspector of Factories in manner required by any Act of Parliament in that Behalf.

SCHE-

FIRST SCHEDULE referred to in the foregoing Act.

Temporary Exceptions.

1. During the first Six Calendar Months next ensuing the Day on which this Act is limited to come into operation, herein-after referred to as the Commencement of this Act, Children of not less than Eleven Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act:

2. During the first Thirty Calendar Months next ensuing the Commencement of this Act, Children of not less than Twelve Years of Age may be employed for the same Time, and subject to the same Conditions, for and subject to which Young Persons may be employed under this Act:

3. During the first Twelve Calendar Months next ensuing the Commencement of this Act, Children, Young Persons, and Women may be employed on Saturdays until Half-past Four o'Clock in the Afternoon:

4. During the first Thirty Calendar Months next ensuing the Commencement of this Act, Children, Young Persons, and Women may be employed in the Manufacture of Preserves from Fruit in the same Manner as they were employed therein before the passing of this Act.

5. During the First Thirty Calendar Months next ensuing the Commencement of this Act, Male Young Persons of not less than Sixteen Years of Age may be employed in any Workshop where the Manufacture of Machinery is carried on in the same Manner as if they were Male Persons exceeding the Age of Eighteen Years.

Permanent Exceptions.

6. Whereas the Customs or Exigencies of certain Trades require that Male Young Persons of the Age of Sixteen Years and upwards should be occasionally employed beyond the Hours allowed by this Act; it shall be lawful for One of Her Majesty's Principal Secretaries of State, on due Proof to his Satisfaction that such Customs or Exigencies exist, and that such occasional Employment is not injurious to the Health of such Male Young Persons, from Time to Time, by Order to be advertised in the London Gazette, or otherwise published in such Manner as he may think fit, to give Permission that in the Case of any particular Workshop or Class of Workshops Male Young Persons of Sixteen Years of Age and upwards may be employed for a Period not exceeding Fifteen Hours on any One Day;

Provided that—

1st. They are not so employed except between the Hours of Six in the Morning and Nine in the Evening.

2d. In addition to the Time allowed under this Act for Meals, they shall be allowed Half an Hour for a Meal after the Hour of Six in the Evening.

3d. They are not so employed for more than Twelve Days in any Period of Four Weeks, nor on the whole for more than Seventy-two Days in any Period of Twelve Months.

7. In any Workshop in which the mechanical Power is Water, and in any Workshop or Class of Workshops with respect to which One of Her Majesty's Principal Secretaries of State certifies by Order under his Hand that it has been proved to his Satisfaction that by reason of the Nature of the Business it is necessary to carry on the same throughout the Night, it shall be lawful to employ Male Young Persons during the Night, subject to the same Intervals of Rest which they are allowed during the Day, and subject to this Provision, that no Male Young Person employed during the Night shall be employed during either the preceding or succeeding Day, and that no Male Young Person shall be employed more than Six Nights in any Fortnight.

For the Purposes of the last-mentioned Provision, Night shall mean any Time between Six o'Clock in the Afternoon of One Day and Six o'Clock of the Morning of the following Day.

8. So much of this Act as forbids the Employment of Young Persons and Women on any Saturday after Two o'Clock of the Afternoon shall not apply to Male Young Persons employed in Day and Night Turns, changing every alternate Week, nor in any Week to any Woman or Young Person whose Hours of actual Work have not in any Day in such Week exceeded Eight.

9. The said Secretary of State, on Proof to his Satisfaction that the Customs or Exigencies of Trade require the Alteration to be made, may, by Order to be advertised in the London Gazette, or otherwise published in such Manner as the Secretary of State may think fit, give Permission, with respect to any particular Workshop or Class of Workshops for both or either of the following Things; namely,—

(1.) That Children, Young Persons, or Women may be employed between Two and Eight o'Clock in the Afternoon on Saturday, provided that in any such Workshop or Workshops Arrangements are made to the Satisfaction of the said Secretary of State for giving on some Work-day in every Week to every Child, Young Person, or Woman employed a Half Holiday of equal Length either at the Beginning or at the End of their Day's Work; or,

(2.) That in any Workshop in which it is proved to his Satisfaction that Work does not commence before the Hours of Seven or Eight in the Morning Children, Young Persons, and Women may be employed on Saturday, or on any other Day on which the weekly Half Holiday is given, from the Hours of Seven in the Morning to Three in the Afternoon, or from Eight in the Morning to Four in the Afternoon. Subject to the usual Hours for Meals.

10. Where the Occupier of any Workshop is a Person of the Jewish Religion, and it his Custom to keep such Workshop closed on Saturday until Sunset, it shall be lawful for him to employ Young Persons or Women on that Day from after Sunset until Nine o'Clock at Night.

SECOND

SECOND SCHEDULE referred to in the preceding Act.

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
ENGLAND AND WALES.	
The City of London and the Liberties thereof.	Commissioners of Sewers of the City of London.
Parishes within the Metropolis mentioned in Schedule (A.) to The Metropolis Management Act, 1855.	The Vestries incorporated by The Metropolis Management Act, 1855.
Districts within the Metropolis formed by the Union of the Parishes mentioned in Schedule (B.) to The Metropolis Management Act, 1855.	The Board of Works for the District incorporated by The Metropolis Management Act, 1855.
Boroughs, excepting Oxford.	The Mayor, Aldermen, and Burgesses, acting by the Council.
The Borough of Oxford and any Place not included in the above Descriptions, and within the Jurisdiction of a Local Board constituted in pursuance of the Public Health Act, 1848, and the Local Government Act, 1858, or One of such Acts.	The Local Board.
Any Place not included in the above Descriptions, and under the Jurisdiction of Commissioners, Trustees, or other Persons entrusted by any Local Act with Powers of improving, cleansing, or paving any Town.	The Commissioners, Trustees, or other Persons entrusted by the Local Act, with Powers of improving, cleansing, or paving the Town.
Any Parish not within the Jurisdiction of any Local Authority herein-before mentioned, and in which a separate Rate is or can be levied for the Maintenance of the Poor.	The Vestry, Select Vestry, or other Body of Persons, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry.
SCOTLAND.	
Burghs - - - -	The Magistrates and Town Council.
Places where Police Commissioners or Trustees exercise the Functions of Police Commissioners acting under "The General Police and Improvement (Scotland) Act," or Trustees or Commissioners acting under any General or Local Act.	The Police or other Commissioners or Trustees.
Any Place not included in the above Descriptions.	The Parochial Board having Jurisdiction in that Place.
IRELAND.	

Column (1).	Column (2).
Places within Jurisdiction of Local Authority.	Description of Local Authority.
IRELAND.	
The City of Dublin	The Right Honourable the Lord Mayor Aldermen, and Burgesses, acting by the Town Council.
Towns Corporate with Exception of Dublin.	The Mayor, Aldermen, and Burgesses, acting by the Town Council.
Towns having Town Commissioners under the Towns Improvement (Ireland) Act, 1854 (17 & 18 Vict. c. 113), or under any Local Act.	The Town Commissioners.
Townships having Commissioners under Local Acts.	The Township Commissioners.
Towns under Commissioners appointed by virtue of an Act made in the Ninth Year of George the Fourth, intituled "An Act to make Provision for lighting, cleansing, and watching of Cities and Towns Corporate and Market Towns in Ireland in certain Cases."	The Commissioners.
Towns having Municipal Commissioners, under 3 & 4 Vict. c. 108.	The Municipal Commissioners.
Any Place not included in the foregoing Descriptions.	The Guardians of the Poor of the Union in which such Place is situate.

Explanation.

In this Schedule the following Words shall have the Meanings herein-after assigned to them; that is to say,

(1.) "Borough" in England shall mean any Place for the Time being subject to the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Seventy-six, intituled "An Act to provide for the "Regulation of Municipal Corporations in England and Wales."

(2.) "Burgh" in Scotland shall mean any Place returning or contributing to return Members to Parliament.

THIRD

THIRD SCHEDULE.

Form of Certificate of School Attendance.

School.

I do hereby certify that [*Christian Name and Surname of the Child*] has attended the above School for not less than Seven Hours and a Half during the Week ending on Saturday the of , 18 .

(Signed) *A.B.*

Principal Teacher of the above School.

Date of 18 .

Address of School.

Hours of Labour Regulation.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

For regulating the Hours of Labour for Children, Young Persons, and Women employed in Workshops; and for other Purposes relating thereto.

(*Prepared and brought in by Mr. Secretary Walpole, Lord John Manners, and Sir John Pakington.*)

Ordered, by The House of Commons, *to be Printed,* 16 *July* 1867.

[Bill 258.]

Under 2 *oz.*

A

BILL

TO

Authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint John the Evangelist, Westminster.

Preamble.

WHEREAS it is expedient for the Security of Her Majesty's New Palace at Westminster (commonly called the Houses of Parliament), and for the Improvement of the Approaches thereto, and of the Embankment in front thereof, that the additional Lands described and shown in the Plans herein-after mentioned should be acquired and appropriated in manner herein-after mentioned; but such Acquisition and Appropriation cannot be effected without the Authority of Parliament:

Deposit of Plans and Books of Reference descriptive of Site.

And whereas duplicate Plans describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof,

thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, and with the Clerk of the Westminster District Board of Works:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acquisition of Site.

Description of Purposes of Act.

1. The Purposes of this Act are the Acquisition of Lands for the Purposes of the New Palace at Westminster, and the Construction of a further Embankment of the River Thames in connexion therewith, and doing such Works and Things as are or may be necessary for or conducive to the Attainment of the above Purposes, or either of them, or incidental thereto.

Commissioners of Her Majesty's Works as incorporated to carry this Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect; but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act, shall be conveyed to Her Majesty, Her Heirs or Successors, for the Purposes of this Act and the herein-before mentioned Act of the Fifteenth and Sixteenth Victoria, Chapter Twenty-eight, or for such other Purposes of public Utility as may be sanctioned by Parliament; and the Commissioners shall have Power to sell, lease, or otherwise dispose of any Parts of the prescribed Lands which may not be required for the Purposes of this Act, in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and to convey, lease, and otherwise dispose of all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold, leased, or disposed of.

Power of Commissioners to purchase Lands.

3. *The Commissioners may, out of any Monies which have been or may be placed at their Disposal by Parliament for that Object, purchase, acquire, take, and use the whole or any Part of the prescribed Lands.*

Commissioners to make good to Parish of Saint John the Evange-

4. And whereas by reason of taking the prescribed Lands or Parts thereof for the Purposes of this Act there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor and making certain Payments directed by Act of Parliament to be made out

out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parish of Saint John the Evangelist, Westminster: And whereas the Rates of the said Parish, together with the Rates of the adjoining Parish of Saint Margaret, Westminster, have been mortgaged, and are now charged with and subject to the Repayment of certain Sums amounting in the aggregate to Pounds or thereabouts, Principal Money with Interest thereon, and which Charges it is calculated will be wholly paid off on or before the Twenty-fifth Day of December One thousand eight hundred and seventy-three, and it is expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as herein-before mentioned: Be it enacted, That the said Commissioners shall from and after the Day of One thousand eight hundred and yearly and every Year until the Twenty-ninth Day of September One thousand eight hundred and seventy-three, *by and out of such Monies as Parliament may from Time to Time place at their Disposal for that Purpose*, pay and make good to the said Parish of Saint John the Evangelist such Sum or Sums of Money not exceeding the Sum of Pounds per Annum as shall be deficient in respect of the said Rates by reason or means of taking the prescribed Lands or any Part thereof for the Purposes of this Act, such Deficiency to be calculated and ascertained with reference to the Sum of Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and in respect of Houses and Buildings which may be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of this Act, an Account of which Deficiencies shall from Time to Time be made out and delivered to the Commissioners, verified by the Collector or other proper Officer of the said Parish of Saint John the Evangelist, in such Manner and Form as the Commissioners shall direct, and no Payment shall be made until such Account has been delivered, duly verified, to the said Commissioners, and approved of by them or on their Behalf.

List Deficiencies in Rates.

5. The First Payment in respect of such Deficiency, so ascertained and verified as aforesaid, shall be made on the Day of One thousand eight hundred and and the Receipt of the Treasurer for the Time being of the said Parish of Saint John the Evangelist, or of the Collector for the Time being of the said Rates, shall be a good and sufficient Discharge to the Commissioners for such Payment: Provided always, that in case any Act

When First Payment to be made.

shall be passed before the said Twenty-ninth Day of September One thousand eight hundred and seventy-three, rendering Crown or Public Property, or the Owners or Occupiers thereof, liable to be assessed to the Poor Rate and other Rates to be raised and levied as herein-before mentioned, the Contribution or Payments by this Act provided for in respect of such Deficiency in the Poor Rates and other Rates as aforesaid shall thereupon cease and be no longer made or paid.

Power to Commissioners to enter upon Lands.

6. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving *Twenty-four Hours* previous Notice in Writing, enter into and upon any of the prescribed Lands for the Purpose of surveying or valuing the same.

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

7. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act; but,

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3.) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

8. Upon the Purchase by the Commissioners of the prescribed Lands (save as herein-after provided) all Rights of Way, Rights of Mooring, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, over, through, or under the prescribed Lands

or

or any Part thereof, including so much of the Bed and Foreshore of the River Thames as is within the Limits of the prescribed Lands, and all other Rights or Easements in or relating to such Lands or any Part thereof, shall be extinguished; and all the Soil of such Ways, Bed, and Foreshore, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty, Her Heirs and Successors, for the Purpose of this Act, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

9. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

10. The Limit for the compulsory Purchase of Lands under this Act shall be Three Years.

Powers to Commissioners to execute Works.

11. The Commissioners may embank and fill up the Bed and Shore of the River Thames as shown on the aforesaid Plans, and may pull down and remove any Buildings, Stairs, Piers, Landing Places, Hards, Piles, or other Erections on the prescribed Lands, and may construct thereon such Embankment, Stairs, Piers, and Landing Places, Buildings, and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act, or any of them.

As to Rights of Metropolitan Board of Works.

12. Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Buildings exempt from 18 & 19 Vict. c. 122.

13. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Miscellaneous.

No Purchase to be made without the

14. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Com-

Authority of the Treasury.

missioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or for any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

15. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Contracts made by First Commissioner of Works to be valid.

16. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers of this Act given to the Commissioners incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

17. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

18. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

19. If

19. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act he shall forfeit a Sum not exceeding *Five Pounds* for every such Offence, to be recovered in a summary Manner. Penalty for obstructing Commissioners.

20. No Deed, Bond, or other Instrument made by, to, or with the Commissioners for any of the Purposes of this Act shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act. Deeds not liable to Stamp Duty.

21. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to or in trust for Her Majesty, Her Heirs or Successors, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding. Deeds to be enrolled in Court of Exchequer.

22. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same. Plan to be deposited in the Office of Works, and open to Inspection.

23. This Act may be cited for all Purposes as "The Houses of Parliament Act, 1867." Short Title.

Houses of Parliament.

A

BILL

To authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint John the Evangelist, Westminster.

(*Prepared and brought in by Lord John Manners and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed,* 19 *March* 1867.

[Bill 81.]

Under 1 *oz.*

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint John the Evangelist, Westminster.

Preamble.

WHEREAS it is expedient for the Security of Her Majesty's New Palace at Westminster (commonly called the Houses of Parliament), and for the Improvement of the Approaches thereto, and of the Embankment in front thereof, that the additional Lands described and shown in the Plans herein-after mentioned should be acquired and appropriated in manner herein-after mentioned; but such Acquisition and Appropriation cannot be effected without the Authority of Parliament:

Deposit of Plans and Books of Reference descriptive of Site.

And whereas duplicate Plans describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof,

thereof, have been deposited with the Clerk of the Peace for the County of Middlesex at his Office at the Sessions House, Clerkenwell, and with the Clerk of the Westminster District Board of Works:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acquisition of Site.

Description of Purposes of Act.

1. The Purposes of this Act are the Acquisition of Lands for the Purposes of the New Palace at Westminster, and the Construction of a further Embankment of the River Thames in connexion therewith, and doing such Works and Things as are or may be necessary for or conducive to the Attainment of the above Purposes, or either of them, or incidental thereto.

Commissioners of Her Majesty's Works as incorporated to carry this Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect; but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act, shall be conveyed to Her Majesty, Her Heirs or Successors, for the Purposes of this Act and the herein-before mentioned Act of the Fifteenth and Sixteenth Victoria, Chapter Twenty-eight, or for such other Purposes of public Utility as may be sanctioned by Parliament; and the Commissioners shall have Power to sell, lease, or otherwise dispose of any Parts of the prescribed Lands which may not be required for the Purposes of this Act, in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and to convey, lease, and otherwise dispose of all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold, leased, or disposed of.

Power of Commissioners to purchase Lands.

3. *The Commissioners may, out of any Monies which have been or may be placed at their Disposal by Parliament for that Object, purchase, acquire, take, and use the whole or any Part of the prescribed Lands.*

Commissioners to make good to Parish of Saint John the Evange-

4. And whereas by reason of taking the prescribed Lands or Parts thereof for the Purposes of this Act there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor and making certain Payments directed by Act of Parliament to be made out

out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of Saint Margaret and Saint John the Evangelist, Westminster: And whereas the Rates of the said Parishes have been mortgaged, and are now charged with and subject to the Repayment of certain Sums amounting in the aggregate to Twenty-three thousand three hundred and twenty-eight Pounds or thereabouts, Principal Money with Interest thereon, and it is expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as herein-before mentioned: Be it enacted, That the said Commissioners shall from and after the Twenty-fourth Day of June One thousand eight hundred and sixty-nine yearly and every Year until the Twenty-ninth Day of September One thousand eight hundred and seventy-three, *by and out of such Monies as Parliament may from Time to Time place at their Disposal for that Purpose*, pay and make good to the said Parishes such Sum or Sums of Money not exceeding the Sum of Four hundred and three Pounds per Annum as shall be deficient in respect of the said Rates by reason or means of taking the prescribed Lands or any Part thereof for the Purposes of this Act, such Deficiency to be calculated and ascertained with reference to the Sum of Four hundred and three Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and sixty-six in respect of Houses and Buildings which may be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of this Act, an Account of which Deficiencies shall from Time to Time be made out and delivered to the Commissioners, verified by the Collector or other proper Officer of the said Parishes in such Manner and Form as the Commissioners shall direct, and no Payment shall be made until such Account has been delivered, duly verified, to the said Commissioners, and approved of by them or on their Behalf.

List Deficiencies in Rates.

5. The First Payment in respect of such Deficiency, so ascertained and verified as aforesaid, shall be made on the Twenty-fourth Day of June One thousand eight hundred and seventy, and the Receipt of the Treasurer for the Time being of the said Parishes or of the Collector for the Time being of the said Rates shall be a good and sufficient Discharge to the Commissioners for such Payment: Provided always, that in case any Act shall be passed before the said Twenty-ninth Day of September One thousand eight hundred and seventy-three, rendering Crown or Public Property, or the Owners or Occupiers thereof, liable to be

When First Payment to be made.

assessed to the Poor Rate and other Rates to be raised and levied as herein-before mentioned, the Contribution or Payments by this Act provided for in respect of such Deficiency in the Poor Rates and other Rates as aforesaid shall thereupon cease and be no longer made or paid.

CLAUSE A. Commissioners to make good Deficiency in Rector's Rate, and pay annual Sum to Rector for Loss of Fees, &c.

6. *And whereas by reason of taking the prescribed Lands for the Purposes of this Act there will be Deficiencies in the Produce of the Assessments made and to be made pursuant to a certain Act of Parliament of the First Year of King George the Second, Chapter Fifteen, intituled "An Act for making Provision for the Rector of the new "Church situate near Millbank in the Parish of Saint Margaret, "Westminster, and for other Purposes therein mentioned," for raising yearly and every Year One hundred and twenty-five Pounds towards a further Provision for the Rector of the Parish of Saint John the Evangelist, as therein mentioned: And for the Purpose of providing against any Deficiency in the Rate referred to in the last-mentioned Act which may be occasioned as aforesaid, be it enacted, That the said Commissioners shall, out of such Monies as have been or may be placed at their Disposal by Parliament for that Purpose, annually make good and pay the Deficiency arising in the said Rate by reason of any Property having been taken or used for the Purposes of this Act, and the said Commissioners shall pay to the Collector appointed by the Vestry of Saint John the Evangelist to collect the said Rate, or other proper Authority, all such Deficiency; and in the event of any Difference as to the Amount of such Deficiency, the same shall be definitively settled by an Arbitrator appointed by Her Majesty's Attorney General for the Time being; and the said Commissioners shall also, out of such Monies as aforesaid, pay to the Rector for the Time being of the said Parish the annual Sum of Two Pounds for the Loss of Oblations, Surplice Fees, and other customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act, such last-mentioned Sum of Two Pounds to be paid to the Rector for the Time being of the said Parish of Saint John by half-yearly Instalments of Twenty Shillings each on the Twenty-fourth Day of June and the Twenty-fifth Day of December in each and every Year, the first half-yearly Payment to be made on the Twenty-fourth Day of June One thousand eight hundred and sixty-nine.*

Power to Commissioners to enter upon Lands.

7. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving *Twenty-four Hours* previous Notice in Writing, enter into and upon any of the prescribed Lands, for the Purpose of surveying or valuing the same.

8. "The

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act; but, 8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3.) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of Westminster or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

9. Upon the Purchase by the Commissioners of the prescribed Lands (save as herein-after provided) all Rights of Way, Rights of Mooring, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, over, through, or under the prescribed Lands or any Part thereof, including so much of the Bed and Foreshore of the River Thames as is within the Limits of the prescribed Lands, and all other Rights or Easements in or relating to such Lands or any Part thereof, shall be extinguished; and all the Soil of such Ways, Bed, and Foreshore, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty, Her Heirs and Successors, for the Purposes of this Act, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845." Extinction of Rights of Way and other Easements.

As to Claims for Compensation by yearly Tenants.

10. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

11. The Limit for the compulsory Purchase of Lands under this Act shall be Three Years.

Powers to Commissioners to execute Works.

12. The Commissioners may embank and fill up the Bed and Shore of the River Thames as shown on the aforesaid Plans, and may pull down and remove any Buildings, Stairs, Piers, Landing Places, Hards, Piles, or other Erections on the prescribed Lands, and may construct thereon such Embankment, Stairs, Piers, and Landing Places, Buildings, and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

Clause B. For Protection of the Owners and Occupier of Dorset Wharf.

13. Nothing herein contained shall extend or be construed to extend to prevent the Trustees or Trustee for the Time being of Taverner John Miller, Esquire, deceased, their or his Heirs and Assigns, or other the Owners or Owner for the Time being of the Land and Hereditaments known as Dorset Wharf, immediately adjoining a Portion of the prescribed Lands, or George Taverner Miller, or other the Lessee and Occupier for the Time being of the said Land and Hereditaments, his Executors, Administrators, and Assigns, from commencing and prosecuting any Action or Suit in any of Her Majesty's Courts of Record at Westminster which they or he would have been entitled to commence and prosecute if this Act had not been passed, for any Deterioration, Damage, Obstruction, or Injury which they or he shall or may have sustained or shall be apprehensive of sustaining in respect of Dorset Wharf aforesaid, in consequence of the Construction of the said Embankment and other Works authorized by this Act: *Provided always, that any Damages to be recovered in any such Action, Suit, or other Proceeding, with the Costs thereof, shall be payable and shall be paid by the said Commissioners out of any Monies which may be appropriated by Parliament, and placed at the Disposal of the said Commissioners, for the Purposes of this Act, and that nothing herein contained shall entitle any Person to Damages or Costs who would not have been so entitled if this Act had not been passed.*

14. Where

CLAUSE C. For Protection of Sewers of Metropolitan Board of Works.

14. Where any Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as to interfere with any Main Sewer under the Jurisdiction or Control of the Metropolitan Board of Works, the Commissioners shall not commence such Work until they shall have given to the said Metropolitan Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board shall have signified their Approval of the same, unless such Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Commissioners shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Board may deem necessary for the proper Protection of and for preventing Injury or Impediment to the Main Sewers herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board against any Expense to be occasioned thereby; and all such last-mentioned Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, at the Expense in all respects of the Commissioners; and all Expenses which the said Metropolitan Board may be put to by reason of the Works of the Commissioners, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Board by the Commissioners; and when any new, altered, or substituted Works as aforesaid, or any Works connected therewith, shall be completed by or at the Expense of the Commissioners, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Directions, Jurisdiction, and Control of the said Metropolitan Board as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of the said Metropolitan Board, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed; provided that no Renewal or Alteration, other than a Change of Site of existing Works, shall be deemed new Works under this Act; and if the Commissioners shall complain of any withholding of Consent on the Part of the said Board, or of any Orders and Directions and Regulations, or of any Charges sought to be imposed by such Board upon the Commissioners, in the Execution of any such

Works, it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department for the Time being to determine every such Difference, and by Order under his Hand to authorize the Works, and the Manner of executing the same, as he shall think fit; and after the Date of the Application by the Commissioners to the said Secretary of State no Penalty shall be incurred by any Default of the Commissioners in respect of or in relation to such Works, or the Matters in difference between the Parties.

Buildings exempt from 18 & 19 Vict. c. 122.

15. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Miscellaneous.

No Purchase to be made without the Authority of the Treasury.

16. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or for any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Contracts made by First Commissioner of Works to be valid.

18. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers of this Act given to the Commissioners incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

19. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Assistant Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested

invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

20. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of England with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

21. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act he shall forfeit a Sum not exceeding *Five Pounds* for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

22. No Deed, Bond, or other Instrument made by, to, or with the Commissioners, for any of the Purposes of this Act, shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

23. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to or in trust for Her Majesty, Her Heirs or Successors, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and open to Inspection.

24. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times,

Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Short Title. **25.** This Act may be cited for all Purposes as "The Houses of Parliament Act, 1867."

Houses of Parliament.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at Westminster, and to construct an Embankment on the North Shore of the River Thames in the Parish of Saint John the Evangelist, Westminster.

(*Prepared and brought in by Lord John Manners and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed, 27 May* 1867.

[Bill 170.] *Under 2 oz.*

o be substituted for the
ill previously delivered.

A

B I L L

FOR

The Abolition of the Landlord's Right of Hypothec in Scotland.

WHEREAS it is expedient to abolish the Landlord's Hypothec for Rent in Scotland, and to place Landlords Claims for Rent upon the same Footing as other personal Debts with respect to the legal Remedies for the Recovery thereof: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after the *passing of this Act* the Landlord's Hypothec for Rent in Scotland shall cease and determine; and Landlords shall have for the Recovery of the Rents due to them the like legal Remedies, and no others, which are by the Law of Scotland competent to Creditors in personal Obligations. Hypothec for Rent to cease; Remedies for Recovery of Rents.

2. This Act shall not apply to Claims for Rent due under written Leases current at the Date of the passing thereof. Not to apply to current Leases.

To be substituted for the Bill previously delivered.

Hypothec Abolition (Scotland).

A

B I L L

For the Abolition of the Landlord's Right of Hypothec in Scotland.

(*Prepared and brought in by Mr. Carnegie, Mr. Fordyce, and Mr. Edward Craufurd.*)

Ordered, by The House of Commons, *to be Printed,* 26 *February* 1867.

[Bill 54.]

Under 1 *oz.*

Hypothec Amendment (Scotland) Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clauses.

1. Act to apply only to Scotland, and Short Title.
2. Act to apply only to Land held for Farming Purposes; save as respects Register of Sequestrations.
3. Corn, &c. purchased bonâ fide, and delivered and removed, to be free from Hypothec.
4. Hypothec not to be available beyond Three Months after Rent is payable.
5. Stock of Third Party taken on a Farm to graze to be liable only to the Amount of Consideration payable for the grazing.
6. When Agricultural Produce or Stock is sequestrated, incompetent to sequestrate Furniture, Implements, imported Manures, &c.
7. Register of Sequestrations for Rent to be kept.

SCHEDULE.

A

B I L L

INTITULED

An Act to amend the Law relating to the Landlord's Right of Hypothec in Scotland, in so far as respects Land held for Agricultural or Grazing Purposes.

[Note.—*The Words printed in Red Ink are proposed to be inserted in Committee.*]

WHEREAS it is expedient to amend the Law relating to the Landlord's Right of Hypothec in Scotland, in so far as respects Land held for Grazing or Agricultural Purposes: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act shall apply only to Scotland, and may be cited for all Purposes by the Title of the "Hypothec Amendment (Scotland) Act, 1867." Act to apply only to Scotland, and Short Title.

2. This Act shall be construed as applying only to Farms or Land with the Buildings thereon occupied for Farming Purposes, and shall not apply to Dwelling Houses, Shops, and other Subjects, though the same may be in rural Districts, where the primary or Act to apply only to Land held for Farming Purposes;

chief Purpose of the Occupation shall be other than the raising of Agricultural Produce or the raising and rearing of Live Stock, saving and excepting always the Provision herein-after contained for the keeping of a Register of Sequestrations which shall be held as applicable to all Sequestrations for Rent whether of rural or urban Subjects.

Save as respects Register of Sequestrations.

3. Whensoever any Agricultural Produce shall have been bonâ fide purchased by any Person for its fair marketable Value from the Tenant or Lessee of any Farm or Lands, and shall have been actually delivered to the Purchaser, and removed from such Farm or Lands, and the Price thereof shall have been paid, all Right of Hypothec competent to the Landlord, Lessor, or Person or Persons entitled to the Rent of such Farm or Lands over such Agricultural Produce shall cease and determine: Provided always, that nothing herein contained shall apply to any Agricultural Produce which the Tenant is not entitled legally or by the Terms of his Lease to sell or carry off the Land, or which previous to the Completion of the Purchase thereof by the Removal of the same from the Farm or Lands, and by Payment of the Price, has been sequestrated at the Instance of such Landlord, Lessor, or other Person, and the Sequestration whereof has been registered in the Register of Sequestrations for Rent, to be kept as herein-after provided, and is in force at the Time of such Purchase.

Corn, &c. purchased bonâ fide, and delivered and removed, to be free from Hypothec.

4. In the event of the Landlord, Lessor, or Person entitled to the Rent of any Farm or Lands failing to commence Proceedings for making effectual by Sequestration his Right of Hypothec within Three Calendar Months after the conventional Term at which the Year's Rent or the last Portion due thereof is made payable under the Terms of the Lease, Writing, or Bargain under which such Farm or Lands are possessed, or if no conventional Term for Payment of the Rent or any Portion thereof has been agreed upon then within Three Calendar Months after the legal Term at which such Year's Rent or the last Portion due thereof is payable, then all Right of Hypothec for the Rent or Portion thereof payable at such Term, conventional or legal, shall cease and determine: Provided always, that the Provisions of this Section shall not apply to the Landlord's Right of Hypothec or to his Right to use Sequestration for Rent due under any Lease, Writing, or Bargain current at the Date of the passing of this Act.

Hypothec not to be available beyond Three Months after Rent is payable.

5. In the event of the Tenant or Lessee of any Farm or Lands having received and taken thereon to be grazed or fed any Sheep, Cattle, or other Live Stock belonging to any other Person, and having

Stock of Third Party taken on a Farm to

having agreed with the Owner of the same for a bonâ fide Payment equal to the just Value of such grazing or feeding, such Sheep, Cattle, or Stock shall be liable to the Hypothec of the Landlord, Lessor, or Person entitled to the Rent of the Farm or Lands, to the Extent of the Amount of such Payment, and no further: Provided always, that so long as any Portion of such Sheep, Cattle, or other Live Stock shall remain on the Farm or Lands the Hypothec over such Portion shall continue to the full Extent of the Payment originally agreed upon for the grazing or feeding of the whole of such Sheep, Cattle, or other Live Stock, and that in the event of the Removal of the Sheep, Cattle, or other Live Stock, or any Portion thereof, from the Farm or Lands, the Right of Hypothec shall, so long as the Payment or any Part thereof shall remain unpaid, continue to apply to such Sheep, Cattle, or other Live Stock to the Extent of the Amount of the Payment, or such Part thereof as shall be unpaid.

graze to be liable only to the Amount of Consideration payable for the grazing.

6. In the Sequestration for the Rent of any Farm or Lands, as defined by this Act, it shall not be competent to include any Household Furniture or Furnishings or any Agricultural Implements, nor shall it be competent, except as herein-after provided, to sequestrate for the Rent any imported Manure, Lime, Drain Tiles, Feeding Stuffs, or other Material, not being the Produce of or made upon the Farm or Lands, and not at the Time incorporated with the Soil or consumed or otherwise applied to the Purposes for which such Material may have been procured: Provided always, that where Manure of any Kind, or Lime, or Drain Tiles, Feeding Stuffs, or other Material have been brought upon the Farm or Lands for the Purpose of being used thereon in fulfilment of any specific Obligation imposed by the Lease, such Manure, Lime, Drain Tiles, Feeding Stuffs, or other Material may competently be included among the sequestrated Effects: Provided also, that nothing herein contained shall be held as affecting either the Right of using Sequestration or the Description of Articles which may be sequestrated, in so far as respects Premises and Occupations of Buildings or of Lands to which this Act does not apply.

When Agricultural Produce or Stock is sequestrated, incompetent to sequestrate Furniture, Implements, imported Manures, &c.

7. At each Sheriff's or other Court where Sequestration for Rent is or may be granted a Register, entitled the "Register of Sequestrations for Rent" for the particular Court, shall be kept by the Sheriff Clerk, Sheriff Clerk Depute, or other Officer of Court having Custody of the Records thereof, in the Form set forth in the Schedule appended hereto, or as nearly in that Form as may be, and on the granting of any Sequestration for Rent there shall be forthwith entered in such Register the Name or Names of the Tenant or Lessee whose

Register of Sequestrations for Rent to be kept.

whose agricultural Produce, Live Stock, or Effects are sequestrated, and the several Particulars detailed in the Schedule appended hereto; and every Person shall be entitled, on Payment of a Fee of One Shilling, to search the said Register during Office Hours of every Day on which the Office of the Sheriff Clerk, Sheriff Clerk Depute, or other Officer of Court having the Custody thereof shall be open; and all such Fees shall be duly accounted for and shall be paid by the Sheriff Clerk, Sheriff Clerk Depute, or other Officer receiving the same to the Credit of Her Majesty's Exchequer at such Times and in such Manner as the Commissioners of Her Majesty's Treasury shall from Time to Time direct.

SCHE-

SCHEDULE referred to in the foregoing Act.

REGISTER of SEQUESTRATIONS for Rent for the County of _____.

Name and Residence of Tenant or Lessee whose Produce, Stock, or Effects are sequestrated.	Date of Sequestration.	Name or Description of Rural or Urban Subjects.	Rent for which Sequestration granted.	Date when payable.	Landlord or Person taking out Sequestration.

Hypothec Amendment (Scotland). [H.L.]

A

B I L L

INTITULED

An Act to amend the Law relating to the Landlord's Right of Hypothec in Scotland, in so far as respects Land held for Agricultural or Grazing Purposes.

(*Brought from the Lords* 26 *March* 1867.)

Ordered, by The House of Commons, *to be Printed*, 29 *March* 1867.

[Bill 100.]

Under 1 *oz.*

A

B I L L

TO

Authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Twenty-second Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with. Inclosures in Schedule may be proceeded with.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1867," or "The Acts for the Inclosure, Exchange, and Improvement of Land." Short Title.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Chard - - -	Somerset - -	26th April 1866.
Chippenham and Langley Burrell	Wilts - - -	7th June 1866.
Colkirk - - -	Norfolk - -	21st June 1866.
Tatterford - - -	Norfolk - - -	21st June 1866.
Dawlish - - - -	Devon - - -	5th July 1866.
Saint Pinnock - -	Cornwall - -	21st June 1866.
Manley - - -	Chester - - -	20th September 1866.
Greasby - - -	Chester - - -	5th October 1866.
Shap - - - - -	Westmorland - -	8th November 1866.
Fakenham - - -	Norfolk - -	29th November 1866.
Boughton - - - -	Nottingham - -	11th December 1866.
Crimscott and Whimpstone -	Warwick - - -	8th January 1867.

Inclosure.

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales.

(*Prepared and brought in by Mr. Secretary Walpole and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed,* 13 *March* 1867.

[Bill 72.]

Under 1 *oz.*

A

BILL

TO

Authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Twenty-second Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with. Inclosures in Schedule may be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1867," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Elham - - -	Kent - -	14th March 1867.
Whitson Common - -	Monmouth - -	28th March 1867.
Shimpling and Burston -	Norfolk - -	6th December 1866.
Elsdon (Rochester) - -	Northumberland -	2d May 1867.
Elsdon (Troughend) - -	Northumberland -	8th May 1867.
Foulk Stapleford - -	Chester - -	7th March 1867.

Inclosure (No. 2).

A

BILL

To authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for England and Wales.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed,* 4 *June* 1867.

[Bill 186.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act for enabling Her Majesty and Her Majesty's Successors to erect Three additional Bishoprics, and for providing Assistance to Bishops who require it for the more effectual Performance of their Duties.

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of Her Majesty, intituled "An Act "to carry into effect, with certain Modifications, the "Fourth Report of the Commissioners of Ecclesiastical Duties and "Revenues:" Preamble. 3 & 4 Vict. c. 113.

And whereas Her Majesty was pleased on the Tenth Day of February in the Year One thousand eight hundred and forty-seven to issue a Commission to certain Persons therein named, directing them to consider the State of the several Bishoprics in England and Wales, with special reference to the Intention therein graciously declared by Her Majesty, that a Measure should be submitted to Parliament for continuing the Bishoprics of Saint Asaph and Bangor as separate Bishoprics, and for establishing forthwith a Bishopric at Manchester, and also, as soon as conveniently might be, Three other additional Bishoprics:

10 & 11 Vict. c. 108.

And whereas an Act was passed in the Tenth and Eleventh Years of the Reign of Her Majesty, whereby Her Majesty's gracious Intentions were fulfilled so far as relates to the Continuance of the said Bishoprics of Saint Asaph and Bangor, and to the Erection of the said Episcopal See at Manchester, but the other Part of Her Majesty's gracious Purpose, videlicet, the establishing of Three other additional Sees, has not yet been carried into effect:

And whereas on the Tenth Day of November in the Year One thousand eight hundred and fifty-two Her Majesty was pleased to issue a Commission to certain Persons therein named, directing them to inquire into the State of the several Cathedral and Collegiate Churches in England and Wales, and to "suggest such "Measures as might make the said Churches and their Revenues "available in the Erection of new Sees, or in other Arrangements "for the Discharge of Episcopal Duties:"

And whereas on the Tenth Day of May One thousand eight hundred and fifty-five the said Cathedral Commissioners made a Third and final Report to Her Majesty, in which they declared their Opinion that there were Four Places having special Claims and Facilities for the Erection of additional Bishoprics, and there were also other Places in which it is desirable that new Sees should be founded:

And whereas they recommended in the aforesaid Report that "a "permissive Bill should be submitted to Parliament empowering "Her Majesty and Her Majesty's Successors to divide any Diocese, "under certain Conditions of Territory and Population, and with "the Consent of the Bishop, where it is proposed to effect the "Division, before the Avoidance of the See:"

And whereas it is expedient that the Diocese of Exeter should be relieved by the Severance from it of the County of Cornwall, and that a Bishopric should be erected for that County; and also that the Dioceses of Lincoln and Lichfield should be relieved by the Erection of a Bishopric at Southwell in the County of Nottingham; and also that the Archdiocese of Canterbury and the Diocese of London should be relieved by the Erection of a Bishopric at St. Alban's in the County of Herts, and by the Restoration of the Diocese of Rochester, as far as may be convenient, to its former Limits, with certain Additions from the Archdiocese of Canterbury:

And whereas it is expedient to afford Encouragement to such Persons as may be willing to assist in the Endowment of such Sees by voluntary Contributions:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Schemes may be prepared by the Ecclesiastical Commissioners for Three new Sees.

1. It shall be lawful by the Authority in the first-recited Act provided, that is to say, by Schemes prepared by the Ecclesiastical Commissioners for England, and by Orders issued by Her Majesty in Council ratifying such Schemes, to relieve the Diocese of Exeter by severing from it the County of Cornwall, and by erecting a Bishopric for that County, and to relieve the Dioceses of Lincoln and Lichfield by erecting a Bishopric at Southwell in the County of Nottingham; and to relieve the Archdiocese of Canterbury and the Diocese of London in the Manner aforesaid, that is to say, by erecting a See at St. Alban's in the County of Herts, and by the Restoration of the Diocese of Rochester, as far as may be convenient, to its ancient Limits, with certain Additions from the Archdiocese of Canterbury: Provided that no Scheme for erecting a new Bishopric or creating a new Capitular Body shall take effect till it has been laid for Six Weeks before both Houses of Parliament, nor if within that Time either House of Parliament shall have addressed the Crown in opposition to it.

Income of new See.

2. The Income to be secured to any See erected under this Act shall not be less than the minimum Amount of Income assigned to any existing Bishopric in England.

See of Southwell to be in Province of York.

3. In the event of such aforesaid See of Southwell being erected in the Manner herein provided, such See shall belong to and be Part of the Province of York.

Consent of the Bishop whose Diocese may be affected.

4. No such Scheme, as far as any existing Diocese is affected thereby, shall be carried into effect during the Incumbency of the Bishop thereof, without his Consent.

Scheme for new See to define Particulars respecting Boundaries, Patronage, &c.

5. The Scheme for the Erection of a new See shall declare the Nature of the proposed Endowment thereof, and, if need be, shall provide for the Appointment of a Capitular Body, Minor Canons, Honorary Canons, Archdeacons, and other Officers for the said Diocese, and shall define the Boundaries of the new Diocese and of its proposed Archdeaconries, and shall recommend such Apportionment of Ecclesiastical Patronage between the Bishop or Bishops of any Diocese or Dioceses affected by the Scheme and the Bishop to be appointed to the new See as shall afford to each an adequate Quantity of Patronage, and shall specify as the Cathedral Church of the new See some Church within the Limits of the new Diocese.

Congé d'élire for new Sees.

6. Until a Capitular Body shall have been constituted for a new See, the Congé d'élire of Her Majesty shall be directed to the Dean and Chapter of the Cathedral of that Diocese in which the Cathedral of the new Diocese was locally situated before its Severance from it.

Residence of Deans and Canons.

7. Until the Dean and Canons of any new Diocese shall have been competently endowed, according to a Scale to be fixed in the said Schemes, they shall not be bound to reside at the Cathedral; and the Dean shall be allowed to hold One Ecclesiastical Benefice within the Limits of the Diocese in which the Cathedral is situated.

Real and Personal Estate to vest in Bishop upon his Election.

8. All Real and Personal Estate given or acquired under this Act for the Endowment of a new See shall vest in the Bishop thereof upon his Election, without any Assurance in Law other than the Provisions of this Act, and shall be held and enjoyed by such Bishop and his Successors in right of the See.

Number of Bishops sitting in Parliament not to be increased. 10 & 11 Vict. c. 108.

9. The Second Section of the Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled "An Act for establishing the Bishopric "of Manchester," is hereby repealed, and in lieu thereof be it enacted, That the Number of Lords Spiritual now sitting and voting as Lords of Parliament shall not be increased by the Creation of the Bishopric of Manchester or of any new Sees under this Act; and whenever there shall be a Vacancy among the Lords Spiritual by the Avoidance of any one of the Sees of Canterbury, York, London, Durham, or Winchester, or of any other See which shall be filled by the Translation thereto from any other See of a Bishop at that Time sitting as a Lord of Parliament, such Vacancy shall be supplied by the Issue of a Writ of Summons to the Bishop who shall be elected to the same See; but if such Vacancy be caused by the Avoidance of any other See in England or Wales such Vacancy shall be supplied by the Issue of a Writ of Summons to that Bishop of a See in England or Wales who shall not have previously become entitled to such Writ, and if there be more than One Bishop of a See in England or Wales who shall not have previously become entitled to such Writ then to such One of the said Bishops as shall have been the earliest appointed to a See in England or Wales; and no Bishop who shall be hereafter elected to any See in England or Wales, not being One of the Five Sees above named, shall be entitled to have a Writ of Summons unless in the Order and according to the Conditions above prescribed.

10. The

The Powers of 6 & 7 Vict. c. 37. s. 22. and 7 & 8 Vict. c. 94. s. 7., and 29 & 30 Vict. c. 111. s. 9., applicable for Endowment of any Sees or Deanery or Canonry.

10. The Powers and Provisions contained in the Twenty-second Section of the Act passed in the Sixth and Seventh Years of the Reign of Her Majesty, Chapter Thirty-seven, and in the Seventh Section of the Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-four, and also in the Ninth Section of the Act passed in the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter One hundred and eleven, enabling any Person or Body Corporate to grant, give, devise, or bequeath Lands, Tithes, Tenements, or other Hereditaments, Goods and Chattels, and the Ecclesiastical Commissioners to receive and hold the same for the Purposes of the said Acts, shall be applicable for the Purpose of providing Endowments for any proposed Episcopal See, or for the Deanery of or Canonries or Minor Canonries or Capitular Body in the Cathedral thereof, or any proposed Archdeaconry: Provided always, that every Gift or Bequest by Will for any of the Purposes of this Act which at the Expiration of Twenty Years from the Death of the Testator shall not have been devoted to the Purposes for which the same was given or bequeathed shall be considered as a Gift or Bequest void under the Statute of Mortmain, and shall be dealt with accordingly, and the Rent and Profits of such Gift or Bequest, with all Accumulations thereon, shall be returned to the Persons who would have been entitled if such Gifts and Bequests had not been made.

Commissioners to have Control over Property until it is vested in Bishop or annexed to Deanery, &c.

11. The Commissioners shall have such Power of Leasing, Sale, or Exchange as may be fit and expedient for the due and proper Performance of their Trust over all Property of which they may become possessed (otherwise than by Testamentary Disposition) under this Act, until such Property shall vest in the Bishop of any new See, or have been permanently annexed to any Deanery or Canonry, Minor Canonry, or Capitular Body, or any Archdeaconry, founded under this Act.

No Part of the Common Fund in the Hands of the Ecclesiastical Commissioners to be applied to any of the Purposes of this Act.

12. It shall not be lawful to apply to any of the Purposes of this Act any Part of the Common Fund in the Hands of the Ecclesiastical Commissioners until One Half of the Amount necessary for the Endowment of such Bishop shall have been otherwise provided.

Increase of the Episcopate.

[H.L.]

A

BILL

INTITULED

An Act for enabling Her Majesty and Her Majesty's Successors to erect Three additional Bishoprics, and for providing Assistance to Bishops who require it for the more effectual Performance of their Duties.

(*Brought from the Lords* 24 *June* 1867.)

Ordered, by The House of Commons, *to be Printed,* 27 *June* 1867.

[Bill 213.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act for enabling Her Majesty and Her Majesty's Successors to erect Three additional Bishoprics, and for providing Assistance to Bishops who require it for the more effectual Performance of their Duties.

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of Her Majesty, intituled "An Act "to carry into effect, with certain Modifications, the "Fourth Report of the Commissioners of Ecclesiastical Duties and "Revenues:" Preamble. 3 & 4 Vict. c. 113.

And whereas Her Majesty was pleased on the Tenth Day of February in the Year One thousand eight hundred and forty-seven to issue a Commission to certain Persons therein named, directing them to consider the State of the several Bishoprics in England and Wales, with special reference to the Intention therein graciously declared by Her Majesty, that a Measure should be submitted to Parliament for continuing the Bishoprics of Saint Asaph and Bangor as separate Bishoprics, and for establishing forthwith a Bishopric at Manchester, and also, as soon as conveniently might be, Three other additional Bishoprics:

10 & 11 Vict. c. 108.

And whereas an Act was passed in the Tenth and Eleventh Years of the Reign of Her Majesty, whereby Her Majesty's gracious Intentions were fulfilled so far as relates to the Continuance of the said Bishoprics of Saint Asaph and Bangor, and to the Erection of the said Episcopal See at Manchester, but the other Part of Her Majesty's gracious Purpose, videlicet, the establishing of Three other additional Sees, has not yet been carried into effect:

And whereas on the Tenth Day of November in the Year One thousand eight hundred and fifty-two Her Majesty was pleased to issue a Commission to certain Persons therein named, directing them to inquire into the State of the several Cathedral and Collegiate Churches in England and Wales, and to "suggest such "Measures as might make the said Churches and their Revenues "available in the Erection of new Sees, or in other Arrangements "for the Discharge of Episcopal Duties:"

And whereas on the Tenth Day of May One thousand eight hundred and fifty-five the said Cathedral Commissioners made a Third and final Report to Her Majesty, in which they declared their Opinion that there were Four Places having special Claims and Facilities for the Erection of additional Bishoprics, and there were also other Places in which it is desirable that new Sees should be founded:

And whereas they recommended in the aforesaid Report that "a "permissive Bill should be submitted to Parliament empowering "Her Majesty and Her Majesty's Successors to divide any Diocese, "under certain Conditions of Territory and Population, and with "the Consent of the Bishop, where it is proposed to effect the "Division, before the Avoidance of the See:"

And whereas it is expedient that the Diocese of Exeter should be relieved by the Severance from it of the County of Cornwall, and that a Bishopric should be erected for that County; and also that the Dioceses of Lincoln and Lichfield should be relieved by the Erection of a Bishopric at Southwell in the County of Nottingham; and also that the Archdiocese of Canterbury and the Diocese of London should be relieved by the Erection of a Bishopric at St. Alban's in the County of Herts, and by the Restoration of the Diocese of Rochester, as far as may be convenient, to its former Limits, with certain Additions from the Archdiocese of Canterbury:

And whereas it is expedient to afford Encouragement to such Persons as may be willing to assist in the Endowment of such Sees by voluntary Contributions:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Schemes may be prepared by the Ecclesiastical Commissioners for Three new Sees.

1. It shall be lawful by the Authority in the first-recited Act provided, that is to say, by Schemes prepared by the Ecclesiastical Commissioners for England, and by Orders issued by Her Majesty in Council ratifying such Schemes, to relieve the Diocese of Exeter by severing from it the County of Cornwall, and by erecting a Bishopric for that County, and to relieve the Dioceses of Lincoln and Lichfield by erecting a Bishopric at Southwell in the County of Nottingham; and to relieve the Archdiocese of Canterbury and the Diocese of London in the Manner aforesaid, that is to say, by erecting a See at St. Alban's in the County of Herts, and by the Restoration of the Diocese of Rochester, as far as may be convenient, to its ancient Limits, with certain Additions from the Archdiocese of Canterbury: Provided that no such Scheme shall be submitted for Confirmation to Her Majesty in Council until there shall have been paid or transferred to the Ecclesiastical Commissioners by voluntary Gift or Bequest Monies, Securities, or Estates, of which the annual Interest, Rents, or Profits shall be sufficient to pay the annual Income of the Bishop and of all other Persons, if any, to be appointed to any Office under such Scheme, according to the Stipulations thereof, and all other Charges and Expenses of carrying the same into effect: Provided also, that no Scheme for erecting a new Bishopric or creating a new Capitular Body shall take effect till it has been laid for Six Weeks before both Houses of Parliament, nor if within that Time either House of Parliament shall have addressed the Crown in opposition to it.

See of Southwell to be in Province of York.

2. In the event of such aforesaid See of Southwell being erected in the Manner herein provided, such See shall belong to and be Part of the Province of York.

Consent of the Bishop whose Diocese may be affected.

3. No such Scheme, as far as any existing Diocese is affected thereby, shall be carried into effect during the Incumbency of the Bishop thereof, without his Consent.

Scheme for new See to define Particulars respecting Boundaries, Patronage, &c.

4. The Scheme for the Erection of a new See shall declare the Nature of the proposed Endowment thereof, and shall provide for the Appointment of a Capitular Body, with such Officers, if any, as may be thought necessary for the said Diocese, and shall define what Stipends or Emoluments, if any, are to be received by them, and shall define the Boundaries of the new Diocese and of its proposed Archdeaconries, and shall recommend such Apportionment of Ecclesiastical Patronage between the Bishop or Bishops of any Diocese or Dioceses affected by the Scheme and the Bishop to

be appointed to the new See as shall afford to each an adequate Quantity of Patronage, and shall specify as the Cathedral Church of the new See some Church within the Limits of the new Diocese, and shall also specify the Mode in which Provision is to be made for performing Divine Service therein.

Residence of Deans and Canons.

5. It shall be lawful for the Ecclesiastical Commissioners, in settling any such Scheme, to make such Provision as to them shall seem fit concerning the Residence (if any) to be required from the Dean or Canons of any new Diocese at the Cathedral, having regard to the Nature and Amount of the Stipends and Emoluments (if any) to be received by them; and also to provide, if to them shall seem fit, that the Dean shall be allowed to hold One Ecclesiastical Benefice within the Limits of the Diocese in which the Cathedral is situated, but subject to all the Obligations as to Residence, and the Performance of Duty, and otherwise, to which the Holder of such Benefice would by Law be liable, if this Act had not passed.

Real and Personal Estate to vest in Bishop upon his Election.

6. All Real and Personal Estate given or acquired under this Act for the Endowment of a new See, except any Capital Monies or Securities of which the Interest may be payable to the Bishop, and which shall be held in trust for him and his Successors by the Ecclesiastical Commissioners, subject to the Directions, if any, of the Donors thereof, shall vest in the Bishop thereof upon his Election, without any Assurance in Law other than the Provisions of this Act, and shall be held and enjoyed by such Bishop and his Successors in right of the See.

Number of Parliamentary Lords Spiritual not to be increased.

7. The Number of Lords Spiritual now sitting and voting as Lords of Parliament shall not be increased by the Creation of any Bishopric under this Act.

The Powers of 6 & 7 Vict. c. 37. s. 22. and 7 & 8 Vict. c. 94. s. 7., and 29 & 30 Vict. c. 111. s. 9., applicable for Endowment of any Sees or Deanery or Canonry.

8. The Powers and Provisions contained in the Twenty-second Section of the Act passed in the Sixth and Seventh Years of the Reign of Her Majesty, Chapter Thirty-seven, and in the Seventh Section of the Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-four, and also in the Ninth Section of the Act passed in the Twenty-ninth and Thirtieth Years of Her Majesty, Chapter One hundred and eleven, enabling any Person or Body Corporate to grant, give, devise, or bequeath Lands, Tithes, Tenements, or other Hereditaments, Goods and Chattels, and the Ecclesiastical Commissioners to receive and hold the same for the Purposes of the said Acts, shall be applicable for the Purpose of providing Endowments for any proposed Episcopal See, or for the Deanery of

or

or Canonries or Minor Canonries or Capitular Body in the Cathedral thereof, or any proposed Archdeaconry: Provided always, that every Gift or Bequest by Will for any of the Purposes of this Act which at the Expiration of Twenty Years from the Death of the Testator shall not have been devoted to the Purposes for which the same was given or bequeathed shall be considered as a Gift or Bequest void under the Statute of Mortmain, and shall be dealt with accordingly, and the Rent and Profits of such Gift or Bequest, with all Accumulations thereon, shall be returned to the Persons who would have been entitled if such Gifts and Bequests had not been made.

Commissioners to have Control over Property until it is vested in Bishop or annexed to Deanery, &c.

9. The Commissioners shall have such Power of Leasing, Sale, or Exchange as may be fit and expedient for the due and proper Performance of their Trust over all Property of which they may become possessed (otherwise than by Testamentary Disposition) under this Act, until such Property shall vest in the Bishop of any new See, or have been permanently annexed to any Deanery or Canonry, Minor Canonry, or Capitular Body, or any Archdeaconry, founded under this Act.

No other Funds of the Ecclesiastical Commissioners than Funds acquired under this Act to be applied to Purposes of this Act.

10. It shall not be lawful to apply to any of the Purposes of this Act any Part of the Common Fund in the Hands of the Ecclesiastical Commissioners, or any other Funds or Property under their Control, except the Funds or Property acquired by them under the Provisions of this Act.

Increase of the Episcopate.

[H.L.]

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act for enabling Her Majesty and Her Majesty's Successors to erect Three additional Bishoprics, and for providing Assistance to Bishops who require it for the more effectual Performance of their Duties.

(*Brought from the Lords* 24 *June* 1867.)

Ordered, by The House of Commons, *to be Printed*, 7 *August* 1867.

[Bill 307.]

Under 1 *oz.*

Increase of the Episcopate Bill. [H.L.]

REASONS assigned by the LORDS for disagreeing to certain of the AMENDMENTS made by the COMMONS.

The Lords disagree to the Amendments made by the Commons in Page 3. Line 15. for the following Reason:

> Because it is undesirable to require that no Scheme shall be submitted for Confirmation to Her Majesty in Council until there shall have been paid or transferred to the Ecclesiastical Commissioners by voluntary Gift or Bequest Monies, Securities, or Estates of which the annual Interest, Rents, or Profits shall be sufficient to pay the annual Income of the Bishop, and of all other Persons, if any, to be appointed to any Office under such Scheme according to the Stipulations thereof, and all other Charges and Expenses of carrying the same into effect.

The Lords disagree to the Amendment made by the Commons in Page 4. Lines 5 to 8. for the following Reason:

> Because it subjects the Settlement of certain Matters connected with the Capitular Arrangements to the uncontrolled Discretion of the Ecclesiastical Commissioners.

The Lords disagree to the Amendments of the Commons, leaving out Clause 9., and also to the Insertion of Clause B., for the following Reason:

> Because they object to the Creation of Two Orders of Bishops in England, and as tending to revive the objectionable Practice of Translations.

The Lords disagree to Clause C. added by the Commons to the Bill, for the following Reason:

> Because they consider the Failure of the Scheme first proposed ought not to lead to the Abandonment of the Creation of the proposed See under a different Arrangement for which more Time than One Year should be allowed.

The Lords disagree to the Amendment made by the Commons in Page 5. Line 34. to the End of the Bill, for the same Reason as that assigned for their Disagreement to the Amendment in Page 3. Line 15.

[Bill 318.]

REASONS assigned by the LORDS for disagreeing to certain of the AMENDMENTS made by the COMMONS.

Ordered, by The House of Commons, *to be Printed*,
15 *August* 1867.

[Bill 318.]

Under 1 *oz.*

A

BILL

TO

Indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have qualified themselves according to an Act of the First Year of King George the First, Statute Two, Chapter Thirteen, or according to an Act of the Tenth Year of King George the Fourth, Chapter Seven, or according to an Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Forty-eight or according to an Act of the same Session, Chapter Forty-nine or according to an Act of the Twenty-second Year of Her present Majesty, Chapter Ten, have, through Ignorance of the Law, Absence, or some unavoidable Accident, omitted to qualify themselves within such Time and in such Manner as in and by the said Acts or some of them respectively is required, whereby they have incurred, or may be in danger of incurring, divers Penalties and Disabilities:

1 G. 1. st. 2. c. 13.
10 G. 4. c. 7.
21 & 22 Vict. c. 48.
21 & 22 Vict. c. 49.
22 Vict. c. 10.

For quieting the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise happen by means of such Omissions, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

 1. Every

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

1. Every Person who, at or before the passing of this Act, hath omitted to take or make or subscribe any Oath, Affirmation, or Assurance, or otherwise to qualify himself within such Time and in such Manner as in and by the said Acts, or any of them, is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act hath taken and subscribed the Oaths or Oath, Affirmation or Assurance, required by Law, or who, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-eight*, or, if Parliament be then sitting, before the End of the then Session of Parliament, shall take and subscribe the Oaths or Oath, Affirmation or Assurance, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Affirmation or Assurance ought to have been taken and subscribed in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission previous to the passing of this Act of taking or making and subscribing any Oaths or Oath, Affirmation or Assurance, required by the said Acts or any of them, or any other Act or Acts; and every such Person is and shall be fully and actually recapacitated and restored to the same State and Condition as he was in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified himself according to the above-mentioned Acts and every of them; and all Elections of and Acts done or to be done by any such Person, or by Authority derived from him, are and shall be of the same Force and Validity as the same or any of them would have been if such Person had duly taken or made and subscribed such Oath, Affirmation, or Assurance according to the Directions of the said Acts and every or any of them; and the Qualification of such Person qualifying himself in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person had taken or made and subscribed such Oath or Oaths, Affirmation or Assurance, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.

2. And whereas several Persons well affected to Her Majesty's Government, and to the United Church of England and Ireland, have, through Ignorance of the Law, neglected or been, by Sickness or other unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the Directions of an Act passed in the Parliament of Ireland in the Second Year of Queen Anne, intituled "An Act to prevent the further Growth of Popery:"

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned by neglecting to qualify themselves according to the said Act shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures

feitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oaths, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively as are directed and appointed by the said last-recited Act, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-eight*, or, if Parliament be then sitting, before the End of the then Session of Parliament.

Not to indemnify Persons against whom final Judgment has been given.

3. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

Admissions to Corporations may be stamped after the Time allowed.

4. And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough Towns, in Great Britain and Ireland, or the Entries of such Admissions in the Court Books, Rolls, or Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and required to be stamped, may not have been provided, or may not have been stamped, or may have been lost or mislaid:

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons in Great Britain or Ireland, on or before the *Twenty-fifth Day of March One thousand eight hundred and sixty-eight*, or, if Parliament be then sitting, before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions or Entries of Admissions as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Com-

missioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers, of such Cities, Corporations, and Borough Towns respectively to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission, and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

5. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record, or already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same as if this Act had never been passed.

General Issue.

6. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

Indemnity.

A

BILL

To indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 24 *July* 1867.

[Bill 280.]

Under 1 *oz.*

A

BILL

TO

Amend the Industrial and Provident Societies Acts.

WHEREAS by the Industrial and Provident Societies Act, 1862, the Industrial and Provident Societies Act, 1852, and certain therein-recited Acts for the Amendment thereof, were repealed, and Provision was made for the Constitution and Regulation of such Societies in future: Preamble.

And whereas Doubts have arisen as to the Effect of the said Act in certain Cases, it is expedient that the same should be removed, and that the Provisions so made should be amended in other respects:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. There shall be repealed, from the *Date* of the Industrial and Provident Societies Act, 1862, the Forty-eighth Section of the Eighteenth and Nineteenth Victoria, Chapter Sixty-three, and from the *Date* of this Act the Ninth, Fifteenth, Sixteenth, and Twenty-fifth Sections of the recited Act, and so much of the Third Section as Repeal of 18 & 19 Vict. c. 63. s. 48. and 25 & 26 Vict. c. 87. ss. 9. 15, 16, and 25.

as excepts the working of Mines and Quarries from the Objects for which any Society may be established under the Act.

Limitation of Interest of Members.

2. A Society registered under this Act may hold in its registered Name any Amount of Interest in any other Society so registered, but if any other Person hold or claim in any Society so registered any Interest exceeding *Two hundred Pounds* Sterling, such Person shall incur a Penalty equal to the Excess of such Interest over the said Sum.

Provisions of the Friendly Societies Acts applied to Industrial and Provident Societies.

3. The Provisions following contained in the Acts under-mentioned relating to Friendly Societies shall apply to all Societies registered under this Act, and no such Provision shall be affected in its Application to such Societies by its Repeal in regard to Friendly Societies, unless the contrary be expressly declared by the Act repealing the same; and, in applying such Provisions, Words concerning the Trustee of any Society shall be taken to apply to the Society, except the Context precludes such Construction; (that is to say,)

5 & 6 Vict. c. 35. s. 88. 16 & 17 Vict. c. 34. s. 49.

1. So much of the Fifth and Sixth Victoria, Chapter Thirty-five, and the Sixteenth and Seventeenth Victoria, Chapter Thirty-four, as relates to the Exemption of such Societies from Income Tax:

2. So much of the Friendly Societies Acts, 1855 and 1858, as relates to—

18 & 19 Vict. c. 63. s. 24.

The Punishment of Fraud in withholding any Money or other Property belonging to any Society:

18 & 19 Vict. c. 63. ss. 41. 42, 43; and 21 & 22 Vict. c. 101. s. 1.

The Determination of Disputes by the County Courts in England, the Sheriffs Court in Scotland, and the Assistant Barrister in Ireland, and the Orders and Proceedings for this Purpose:

18 & 19 Vict. c. 63. s. 30.

The Reception of Rules and other Instruments in Evidence;

18 & 19 Vict. c. 63. s. 37.

The Exemption of Rules and other Instruments from Stamp Duty:

21 & 22 Vict. c. 101. s. 4.

The Power to any Society to change its Name.

Power to nominate Persons unto whose Name the Interests of Members may be transferred at their Death.

4. A Member of any Society registered under this Act may, by any Writing under his Hand delivered at the registered Office of the Society, appoint any Person being the Husband, Wife, Father, Mother, Child, Brother, Sister, Nephew, or Niece of such Member, to whom his Shares in the Society shall be transferred at his Decease, provided that the Sum credited to the Account of such Member in the Books of the Society does not exceed *Fifty Pounds* Sterling, and may from Time to Time revoke or vary any such Nomination by a Writing under his Hand similarly delivered; and the Secretary of every

every such Society shall keep a Book wherein the Names of all Persons so nominated shall be regularly entered, and the Shares comprised in any such Nomination shall be transferable to the Nominee, although the Rules of the Society declare its Shares to be generally not transferable: Provided nevertheless, that the Society may, in lieu of making such Transfer, elect to pay to any Nominee the full Value of the Shares comprised in the Nomination to him; and shall pay him the full Value of any such Shares which, if transferred into his Name, would increase his Interest in the Society to an Amount exceeding *Two hundred Pounds* Sterling.

Recovery of Penalties.

5. All Penalties imposed by the Industrial and Provident Societies Act, 1862, or by this Act, or by the Rules of any Society registered under the said Act, shall be recoverable, with Costs, and dealt with in a Manner directed by the Friendly Societies Acts, in regard to the Penalty thereby imposed, on any Default in transmitting the Returns thereby required, and at the Suit of the Registrar in the Case of Penalties imposed by the recited Act or by this Act, or in the Case of Penalties imposed by the Rules of any Society so registered at the Suit of the Society.

Alterations of or Additions to Rules to be registered.

6. Two Copies of every Alteration of or Addition to the Rules of every Society registered under this Act, signed by *Seven* Members of the Society, and countersigned by the Secretary, shall be sent to the Registrar for his Certificate of Registration, and shall be accompanied by a Declaration in the Form contained in the Schedule hereto annexed; and no Alterations of or Additions to the Rules of any Society registered under this Act, made after the passing hereof, shall be valid until they are so certified.

Declarations to accompany Copies.

Form of Certificate.

7. The Registrar shall give his Certificates respectively in the Forms contained in the said Schedule in the Cases thereto mentioned.

Penalties on not sending Returns, &c.

8. All Returns required under the Twenty-fourth Section of the recited Act to be made to the Registrar of Friendly Societies shall be sent to him by each Society registered thereunder on or before the First Day of March in every Year; and every such Society which does not send any such Return, or furnish Copies thereof, or of its Rules, as is required by the recited Act or hereby, shall incur a Penalty not less than *Forty Shillings* nor exceeding *Five Pounds* for each such Offence; and every Person who makes or orders to be made any false Statement or any Omission in any such Return, with Intent to deceive the Registrar, shall incur a Penalty not exceeding *Fifty Pounds* Sterling for each Return so dealt with.

Form of Rules provided as moved.

9. The Form of Rules contained in the Schedule hereto may be adopted by any Society desirous of being registered under this Act, either without any Addition or with any Additions or Alterations agreeable to Law.

Short Title and Construction of Act.

10. The recited Act, so far as it is not hereby repealed, shall be incorporated with this Act, and may be cited with it as the Industrial and Provident Societies Act, 1867, and the Schedule hereto annexed shall be substituted for the Schedule thereto; all Societies registered under the recited Act shall be taken to be registered under this Act; and, in construing the recited Act and this Act, Provisions relating to the Rules or Name of any Society shall apply to the registered Rules and Name thereof for the Time being, and the Registrar shall mean the Registrar of Friendly Societies for England, Scotland, or Ireland, according to the Place where the Office of the Society is situate.

SCHE-

SCHEDULE referred to in this Act.

Of Matters to be provided for by the Rules of Societies established under this Act.

1. Object, Name, and Place of Office of the Society.
2. Terms of Admission of Members.
3. Mode of holding Meetings and Right of voting, and of making or altering Rules.
4. Determination whether the Shares, or any Number thereof, shall be transferable, and in case it be determined that the Shares, or any Number thereof, shall be transferable; Provision for the Form of Transfer and Registration of Shares, and for the Consent of the Committee of Management and Confirmation by a General Meeting of the Society; and in case it be determined that the Shares shall not be transferable, Provision for paying to Members the Balance due to them on withdrawing from the Society.
5. Provision for the Audit of Accounts.
6. Determination whether and by what Authority any Part of Capital may be invested in or on the Security of another Society, provided that no such Investment be authorized in any Society not registered under this Act, or under the Companies Act as a Company with limited Liability.
7. Determination whether and how Members may withdraw from the Society, and Provisions for the Claims of Executors, Administrators, or Assigns of Members, and for paying Nominees in the Case herein mentioned.
8. Mode of Application of Profits.
9. Appointment of Managers and other Officers, and their respective Powers and Remuneration.
10. Provisions for the Custody, Use, and Device of the Seal of the Society, which shall in all Cases bear the registered Name thereof.

FORMS OF CERTIFICATE TO BE GIVEN UNDER THIS ACT.

Certificate of Registration of a Society.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] hereby certify that the Society, Limited, established at in the County of is registered under the Industrial and Provident Societies Act, 1867.

Given under my Hand this Day of 18 .

Registrar of Friendly Societies.

Certificate, to follow Rules upon the Registration of a Society established under this Act.

I hereby certify that the foregoing Rules of the Society, Limited, are in conformity with Law, and that the said Society is duly established from the present Date, and is subject to the Provisions and entitled to the Privileges of the Acts relating to Industrial and Provident Societies.

Day of 18 .

Registrar of Friendly Societies.

Certificate of Alterations of Rules.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] do hereby certify that the foregoing Alterations of [*or* Additions to] the Rules of the Society, Limited, established at in the County of are in conformity with Law, and are registered from the present Date under the Industrial Societies Act.

Given under my Hand this Day of 18 .

Registrar of Friendly Societies.

Certificate of changed Name.

I, Registrar of Friendly Societies in [England, Scotland, *or* Ireland,] hereby certify that the registered Name of the Society, Limited, established at in the County of is changed from the Date hereof to the Name following,—

Society, Limited, and is in accordance with the Industrial and Provident Societies Acts.

Given under my Hand this Day of

Registrar of Friendly Societies.

FORM OF DECLARATION TO ACCOMPANY ALTERATIONS OF OR ADDITIONS TO RULES.

Register No. .

Society,

Limited, established at

(State Street, Parish, and County of Place of Business.)

I, of the Clerk* of the above-mentioned Society, do solemnly and sincerely declare that in the altering, amending, or rescinding the

---

* Secretary, *or* One of the Officers.

Rules

Rules of the said Society, *or* making new Rules, (*as the Case may be,*) the Rules of the said Society have been duly complied with.

And I make this solemn Declaration, conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the Fifth and Sixth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to repeal an Act of the present Sessions of Parliament, intituled 'An Act for the more effectual Abolition of Oaths and 'Affirmations taken and made in various Departments of the State, and to 'substitute Declarations in lieu thereof, and for the more entire Suppression 'of voluntary and extra-judicial Oaths and Affidavits; and to make other 'Provisions for the Abolition of unnecessary Oaths.'"

Taken and received before me, One of Her Majesty's Justices of the Peace for the said County of at in the said County, this Day of 18 .

Industrial and Provident Societies.

A

BILL

To amend the Industrial and Provident Societies Acts.

(*Prepared and brought in by Mr. Thomas Hughes, Mr. Bright, and Mr. Morrison.*)

Ordered, by The House of Commons, *to be Printed*, 13 *June* 1867.

[Bill 198.]

Under 1 *oz.*

To be substituted for the Bill delivered on the 14th February.

Industrial Schools (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

Preamble.

1. Short Title.
2. Application of Act.
3. Provisions of Act extended to Ireland and Modifications necessary for Application of Act to Ireland.
4. Inspector of Industrial Schools.
5. Power to Grand Jury of a County or Council of a Borough to grant Money towards Establishment and Enlargement of Schools.
6. Grand Jury or Council may contract with Managers of School for Reception and Maintenance of Children.
7. Monies granted under this Act how to be raised.
8. As to Children under Twelve Years charged with Offences.
9. As to refractory Children under Fourteen Years of Age in Workhouses.
10. Form and Contents of Order sending Child to School.
11. Refusal to conform to Rules of School.
12. Penalty on Child escaping from School.
13. Power of Guardians to contribute towards Maintenance of Children detained in School on their Application.
14. Transfer to another School by Chief Secretary.
15. Acts regulating Procedure.

Schedule of Forms.

A

B I L L

TO

Extend the Industrial Schools Act to Ireland.

WHEREAS it is expedient to provide for the Establishment and Regulation of Industrial Schools in Ireland, and to extend to Ireland, with certain Modifications, "The Industrial Schools Act, 1866:" Preamble. 29 & 30 Vict. c. 118.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as "The Industrial Schools Act (Ireland), 1867." Short Title.

2. This Act shall extend to Ireland only. Application of Act.

3. The following Provisions of the Industrial Schools Act, 1866, that is to say, Sections Five, Seven, Eight, Nine, Eleven, Thirteen, Fourteen, Sixteen, Nineteen, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-four, *Thirty-five*, Thirty-nine, Forty, Forty-one, Forty-three, Forty-four, Forty-five, Forty-six, Forty-seven, Forty-eight, Fifty-two, and Fifty-three, shall, so far as they apply to England, for all the Purposes of this Act, be extended to and shall apply Provisions of Act extended to Ireland. 29 & 30 Vict. c. 118.

apply to Ireland: Provided, however, that in such Application the following Changes shall be observed:—

Modifications necessary for Application of Act to Ireland.

(1.) The Expression "the Secretary of State" shall mean "the "Chief Secretary of the Lord Lieutenant of Ireland for "the Time being:"

(2.) The Expression "Two Justices" shall mean Two or more Justices in Petty Sessions; and the Expression "a Magistrate" shall mean "a Police Magistrate" acting in any Police Court for the Dublin Metropolitan Police District:

(3.) Publication shall be made in the "Dublin Gazette" in any case in Ireland where Publication in the "London Gazette" is required in England.

Inspector of Industrial Schools.

4. The Inspector of Reformatory Schools in Ireland shall be also the Inspector of Industrial Schools, and every certified Industrial School shall from Time to Time, and at least once in each Year, be inspected by the Inspector of Industrial Schools.

Power of Grand Jury of a County or Council of a Borough to grant Money towards Establishment and Enlargement of Schools.

5. It shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town, at any Assizes, and for the Town Councils of the Boroughs of Dublin, Cork, and Limerick, upon the Application of the Managers of any Industrial School which has been or may hereafter be certified under this Act, to present from Time to Time such Sums of Money and on such Conditions as they think fit, towards the Establishment or building of a School intended to be a certified Industrial School, or towards the Purchase of Land required either for the Use of an existing certified Industrial School, or for the Site of a School intended to be a certified Industrial School, or towards the Alteration, Enlargement, or rebuilding of a certified Industrial School, or towards the Support of the Inmates of such School, or towards the Management of such School: Provided that no Money shall be presented or ordered to be raised as aforesaid under this Act towards the Support of the Inmates of any Industrial School, or towards the Management of any Industrial School, unless the Institution has been duly certified under this Act, and the Certificate be still in force; and that when the Presentment is for the Alteration, Enlargement, rebuilding, Establishment, or building of a School or intended School, or for the Purchase of Land, the Approval of the Chief Secretary of the Lord Lieutenant of Ireland as aforesaid be previously given for that Alteration, Enlargement, rebuilding, Establishment, building, or Purchase.

Grand Jury or Council may contract

6. The Grand Jury of any County, County of a City, or County of a Town, and the Council of any such Borough as aforesaid, at a Special

Special Meeting of such Council called for the Purpose, may appoint and empower a Committee of such Grand Jury or Council to enter into an Agreement with the Managers of any Industrial School, certified as aforesaid for the Reception, Maintenance, and keeping in such Industrial School from Time to Time of such Children as are ordered by Justices or a Magistrate to be sent there from such County or Borough, in consideration of such periodical Payments as may be agreed upon with such Managers; and such Grand Jury or Council shall present the Payments of the Money which may from Time to Time become payable under such Agreement without any previous Application to a Presentment Sessions.

with the Managers for Reception of Children in Schools.

7. All Monies presented to be raised and paid for the Reception, Maintenance, and keeping of such Children in such Industrial School shall be presented and raised in the same Manner in all respects and subject to the same Conditions as Money to be presented and raised by the Grand Jury of any such County, or by the Council of such Borough as aforesaid respectively, for defraying the ordinary current Expenditure of their several Gaols.

Monies granted under this Act how to be raised.

8. Where a Child, apparently under the Age of *Twelve* Years, is charged before Two or more Justices in Petty Sessions, or a Police Magistrate acting in any Police Court for the Dublin Metropolitan Police District, with an Offence punishable by Imprisonment or a less Punishment, but has not been convicted of Felony, and the Child ought, in the Opinion of the said Justices or Magistrate, (regard being had to his Age and to the Circumstances of the Case,) to be dealt with under this Act, the said Justices or Magistrate may order him to be sent to a certified Industrial School.

As to Children under 12 Years of Age charged with Offences.

9. When the Guardians of the Poor of any Union represent to Two or more Justices in Petty Sessions, or a Police Magistrate acting in any Police Court for the Dublin Metropolitan Police District, that any Child apparently under the Age of *Fourteen* Years, maintained in any Workhouse of the said Union, is refractory, or is the Child of Parents either of whom has been convicted of a Crime or Offence punishable with Penal Servitude or Imprisonment, and that it is desirable that he be sent to an Industrial School under this Act, the said Justices or Magistrate may, if satisfied that it is expedient to deal with the Child under this Act, order him to be sent to a certified Industrial School.

As to refractory Children under 14 Years of Age in Workhouses.

10. The Order of Justices or a Police Magistrate sending a Child to a School (in this Act referred to as the Order of Detention in a School) shall be in Writing, signed by the Justices or Police Magistrate, and shall specify the Name of the School.

Form and Contents of Order sending Child to School.

The School shall be some certified Industrial School (whether situate within the Jurisdiction of the Justices or Police Magistrate making the Order or not) the Managers of which are willing to receive the Child, and the Reception of the Child by the Managers of the School shall be deemed to be an Undertaking by them to teach, train, clothe, lodge, and feed him during the whole Period for which he is liable to be detained in the School, or until the Withdrawal or Resignation of the Certificate of the School takes effect, or until the Contribution out of Money provided by Parliament towards the Custody and Maintenance of the Children detained in the School is discontinued, whichever shall first happen.

The School named in the Order shall be presumed to be a certified Industrial School until the contrary is shown.

The Order shall specify the Time for which the Child is to be detained in the School, being such Time as to the Justices seems proper for the teaching and training of the Child, but not in any Case extending beyond the Time when the Child will attain the Age of Sixteen Years: Provided always, that no Child shall be sent to any such Industrial School except to some One Industrial School under the exclusive Management of Persons of the same Religious Persuasion as that professed by the Parents, or *should that be unknown, by the* Guardians of such Child, and in all Cases in which the Religion of the Parents and Guardians of such Child is unknown, the said Child shall be considered as belonging to that Religious Persuasion in which he shall appear to have been baptized, or, that not appearing, to which he shall profess to belong.

Refusal to conform to Rules.

11. If a Child sent to a certified Industrial School, and while liable to be detained there, being apparently above *Ten Years* of Age, and whether lodging in the School itself or not, wilfully neglects or wilfully refuses to conform to the Rules of the School, he shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two Justices in Petty Sessions, or a Police Magistrate acting in any Police Court for the Dublin Metropolitan Police District, shall be liable to be imprisoned, with or without Hard Labour, for any Term not less than Fourteen Days and not exceeding *Three Months*, and the said Justices or said Police Magistrate before whom he is convicted may direct him to be sent, at the Expiration of the Term of his Imprisonment, to a certified Reformatory School, and to be there detained, subject and according to the Provisions of a Statute passed in the Twenty-first and Twenty-second Years of Her Majesty, entitled "An Act "to promote and regulate Reformatory Schools in Ireland."

21 & 22 Vict. c. 103.

12. If

12. If a Child sent to a Certified Industrial School, and while liable to be detained there, and whether lodging in the School itself or not, escapes from the School, or neglects to attend thereat, he shall be guilty of an Offence against this Act, and may at any Time before the Expiration of his Period of Detention be apprehended without Warrant, and may (any other Act to the contrary notwithstanding) be then brought before a Justice or a Police Magistrate having Jurisdiction in the Place or District where he is found, or in the Place or District where the School from which he escaped is situate, and he shall thereupon be liable, on summary Conviction before such a Justice or Police Magistrate, to be, by and at the Expense of the Managers of the School, brought back to the same School, there to be detained during a Period equal to so much of his Period of Detention as remained unexpired at the Time of his committing the Offence.

Penalty on Child escaping from School.

If the Child charged with such an Offence is apparently above *Ten* Years of Age, then, on his summary Conviction of the Offence before Two such Justices or such a Police Magistrate, he shall be liable, at the Discretion of the Justices or Police Magistrate, instead of being sent back to the same School, to be imprisoned, with or without Hard Labour, for any Term not less than *Fourteen* Days, and not exceeding Three Months; and the Justices or Police Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a certified Reformatory School, and to be there detained subject and according to the Provisions of a Statute passed in the Twenty-first and Twenty-second Years of Her Majesty, entitled "An Act to promote and regulate Reformatory Schools in Ireland."

21 & 22 Vict. c. 103.

13. The Guardians of the Poor of any Union may from Time to Time, with the Consent of the Poor Law Commissioners, contribute such Sums as they think fit towards the Maintenance of Children detained in a certified Industrial School upon their Application.

Power of Guardians of Poor to contribute.

14. It shall and may be lawful for the Chief Secretary of the Lord Lieutenant of Ireland to order a Child to be transferred from one certified Industrial School to another: Provided that such Removal shall not increase the whole Period of such Child's Detention in an Industrial School, and that the Removal shall only be to some Industrial School under the Management of Persons of the same Religious Persuasion as that to which he might have been originally committed.

Transfer to another School by Chief Secretary.

The Commissioners of Her Majesty's Treasury may pay, out of Money provided by Parliament for the Purpose, such Sums as the

Chief Secretary thinks fit to recommend in discharge of the Expenses of the Removal of any Child transferred under the Provisions of this Act.

Acts regulating Procedure.

15. The Petty Sessions (Ireland) Act, 1851, shall apply to all Offences, Payments, and Orders in respect of which Jurisdiction is given to Justices or a Police Magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a Summary Manner or on Summary Conviction.

The

The SCHEDULE.

FORMS.

(A.)

Order sending Child to Industrial School.

to wit. } Be it remembered, That on the Day of , in pursuance of the Industrial Schools Act (Ireland), 1867, we, Two of Her Majesty's Justices of the Peace* for the said [*County*] of , do order that *A.B.* of (whose Religious Persuasion, as ascertained by Provision in Section X, of the said Act, is), being a Child subject to the Provisions of Section of the said Act, be sent to the certified Industrial School at , and that he be detained there during .

(Signed) *L.M.*
N.O.

(C.)

Complaint for enforcing Contribution from Parent, &c.

to wit. } The Complaint of the Inspector of Industrial Schools [*or as the Case may be*] made to us,† the undersigned, Two of Her Majesty's Justices of the Peace for the said County of , this Day of at in the same County, who says, that one *A.B.* of (*) the Age of Years or thereabouts, is now detained in the Industrial School at in the County of , under the Industrial Schools (Ireland) Act, 1867, and has been duly ordered and directed to be detained therein until the Day of : That one *C.B.*, dwelling in the Parish of in the County of is the Parent [*or* Step-parent, &c.] of the said *A.B.*, and is of sufficient Ability to contribute to the Support and Maintenance of the said *A.B.*, his Son: (*) The said Complainant therefore prays that the said *C.B.* may be summoned to show Cause why an Order should not be made on him so to contribute.

Exhibited before us *C.D.*
(Signed) *J.S.*
L.M.

---

* Or in Dublin, "I, Police Magistrate of the Dublin Metropolitan Police District."

† Or in Dublin, "to me, a Police Magistrate of the Dublin Metropolitan Police District."

(D.)

Summons to the Parent.

To *C.B.* of [*Labourer.*]

WHEREAS Information hath this Day been laid [*or* Complaint hath this Day been made] before the undersigned [One, *or as the Case may be*] of Her Majesty's Justices of the Peace in and for the said [*County*] of for that you [*here state shortly the Matter of the Information or Complaint*]: These are therefore to command you in Her Majesty's Name to be and appear on at o'Clock in the Forenoon at before such Justices of the Peace for the said County [*or as the Case may be*] as may then be there, to answer the said Information [*or* Complaint], and to be further dealt with according to Law.

Given under my [*or* our] Hand and Seal, this Day of in the Year of our Lord at in the [*County*] aforesaid.

(E.)

Order on Parent, &c. to contribute a Weekly Sum.

{BE it remembered, That on this Day of
to wit. {at in the said [*County*] of a certain Complaint of the Inspector of Industrial Schools [*or as the Case may be*], for that One *A.B.* of, *&c.* [*stating the Cause of Complainant as in the Form* (C.) *between the Asterisks* (*) (*)], was duly heard by and before us, the undersigned, Two of† Her Majesty's Justices of the Peace in and for the said [*County*] of (in the Presence and Hearing of the said *C.B.*, *if so*, *or* the said *C.B.* not appearing to the Summons duly issued and served in this Behalf); and we, having duly examined into the Ability of the said *C.B.*, and on Consideration of all the Circumstances of the Case, do order the said *C.B.* to pay to the said Inspector [*or* to an Agent of the said Inspector] the Sum of Shillings per Week from the Date of this Order until Day of , the same to be paid at the Expiration of each [Fourteen, *or as the Case may be*, Days].

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [*County*] aforesaid.

J.S. (L.S.)
L.M. (L.S.)

---

† Or in Dublin, "One of the Police Magistrates of the Dublin Metropolitan Police District."

(F.)

Distress Warrant for Amount in arrear.

} To the Head or other Constable of , and to all
to wit. } other Peace Officers in the said [*County*] of

WHEREAS on the Hearing of a Complaint made by the Inspector of Industrial Schools [*or as the Case may be*], that *A.B.* of, *&c.* [*stating the Cause of Complaint as in the Form* (C.) *between the Asterisks* (*) (*), an Order was made on the Day of by us, the undersigned [*or* by *L.M.* and *J.H.*], Two † of Her Majesty's Justices of the Peace in and for the said [*County*] of against the said *C.B.*, to pay to the said Inspector [*or, as the Case may be*] the Sum of per Week from the Date of the said Order until the Day of , the same to be paid at the Expiration of each [*Twenty-eight*] Days [*or as the Case may be*] (*): And whereas there is due upon the said Order the Sum of being for [*Three*] Periods of [*Fourteen*] Days each, and Default has been made therein for the Space of Fourteen Days:

These are therefore to command you, in Her Majesty's Name, forthwith to make Distress of the Goods and Chattels of the said *C.B.*, and if within the Space of [*Five*] Days next after the making of such Distress the said last-mentioned Sum, together with the reasonable Charges of taking and keeping the said Distress, is not paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale to the Clerk of the Justices of the Peace for the of that he may pay and apply the same as by Law directed, and may render the Overplus (if any), on Demand, to the said *C.B.*; and if no such Distress can be found, then that you certify the same to us, to the end that such Proceedings may be had therein as the Law requires.

Given under our Hands and Seals, this Day of at in the [*County*] aforesaid.

J.S. (L.S.)

L.M. (L.S.)

† Or in Dublin "One of the Police Magistrates of the Dublin Metropolitan Police District."

(G.)

Commitment in default of Distress.

} To the Head or other Constable of and to the
to wit. } Keeper of the [*Prison*] at in the said
[*County*] of .

WHEREAS [*&c., as in the Form* (F.) *to the single Asterisk* (*), *and then thus*]: And whereas afterwards on the Day of last, I, the undersigned, together with *L.M.*, Esquire, [*or J.S.* and *L.M.*, Esquires,] Two † of Her Majesty's Justices of the Peace in and for the said [*County*] of , issued a Warrant to the Constable of aforesaid, commanding him to levy the Sum of due upon the said recited Order, being for [*Three*] Periods of [*Fourteen*] Days, by Distress and Sale of the Goods and Chattels of the said *C.B.*: And whereas a Return has this Day been made to me the said Justice [*or* the undersigned, One of Her Majesty's Justices of the Peace in and for the said [*County*] of], that no sufficient Goods of the said *C.B.* can be found:

These are therefore to command you the said Head Constable of to take the said *C.B.*, and him safely to convey to the [*Prison*] at aforesaid, and there deliver him to the Keeper thereof, together with this Precept: And I do hereby command you the said Keeper of the said [*Prison*] to receive the said *C.D.* into your Custody in the said [*Prison*], there to imprison him for the Term of , unless the said Sum, and all Costs and Charges of the said Distress, and of the Commitment and conveying of the said *C.D.* to the said [*Prison*], amounting to the further Sum of , shall be sooner paid unto you the said Keeper, and for your so doing this shall be your sufficient Warrant.

Given under my Hand and Seal, this Day of in the Year of our Lord at in the [*County*] aforesaid.

J. S. (L.S.)

† Or in Dublin "One of the Police Magistrates of the Dublin Metropolitan Police District."

[*To be substituted for the Bill delivered on the* 14*th February.*]

Industrial Schools (Ireland).

A

B I L L

To extend the Industrial Schools Act to Ireland.

(*Prepared and brought in by The O'Conor Don, Mr. Monsell, and Mr. Leader.*)

Ordered, by The House of Commons, *to be Printed,* 12 *February* 1867.

[Bill 17.]

Under 2 *oz.*

Industrial Schools (Ireland) Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

CLAUSES.

Preamble.

1. Short Title.
2. Application of Act.
3. Interpretation Clause.
4. Inspector of Industrial Schools.
5. Description of Industrial Schools and Managers.
6. Mode of certifying Industrial School.
7. School not to be certified as Industrial and Reformatory.
8. Notices of Certificate to be gazetted. Copy of Gazette to be Evidence.
9. Alterations, &c. of Buildings to be approved.
10. Mode of obtaining Approval of Chief Secretary.
11. Power of Grand Jury of a County or Council of a Borough to grant Money towards Establishment and Enlargement of Schools.
12. Grand Jury or Council may contract with the Managers for Reception of Children in Schools.
13. Monies granted under this Act how to be raised.
14. As to Children under Fourteen Years of Age found begging, &c.
15. Temporary Detention in Workhouse, &c.
16. As to Children under Twelve Years of Age charged with Offences.
17. Form and Contents of Order sending Child to School.
18. Power to Parent, &c. to apply to remove Child to a School conducted in accordance with Child's Religious Persuasion.
19. Order to be Warrant for Conveyance and Detention.
20. Expenses of Conveyance to School.
21. Evidence of Order of Detention.
22. Religious Instruction in School.
23. Lodging Child out of School.
24. Licence for living out of School.

25. Power to apprentice Child.
26. Rules of School to be approved by Chief Secretary.
27. Evidence as to Reception in School, &c.
28. Refusal to conform to Rules.
29. Penalty on Child escaping from School.
30. Penalty on Persons inducing Offenders to escape from Certified Industrial Schools.
31. Power to Treasury to contribute towards Custody, &c. of Children detained.
32. Contribution by Parent, &c.
33. Order for Enforcement of Contribution by Parent, &c.
34. Detention to cease on Child attaining Sixteen.
35. Transfer to another School by Chief Secretary.
36. Discharge by Chief Secretary.
37. Power for Chief Secretary to withdraw Certificate.
38. Resignation of Certificate by Managers.
39. Gazetting and Evidence of Withdrawal, &c.
40. Cesser of Reception of Children on Notice, &c.
41. Discharge of Children detained, &c.
42. Use of Forms in Schedule.
43. Service of Notices on Managers.
44. Acts regulating Procedure.

SCHEDULE of Forms.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Extend the Industrial Schools Act to Ireland.

WHEREAS it is expedient to provide for the Establishment and Regulation of Industrial Schools in Ireland, and to extend to Ireland, with certain Modifications, "The Industrial Schools Act, 1866:" Preamble. 29 & 30 Vict. c. 118.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as "The Industrial Schools Act (Ireland), 1867." Short Title.

2. This Act shall extend to Ireland only. Application of Act.

3. In the Construction of this Act:— Interpretation Clause.

The Expression "the Chief Secretary" shall mean "the Chief "Secretary of the Lord Lieutenant of Ireland for the Time "being:"

The Expression "Two Justices" shall mean Two or more Justices in Petty Sessions; and the Expression "a Magistrate" shall mean "a Police Magistrate" acting in any Police Court for the Dublin Metropolitan Police District:

Inspector of Industrial Schools.

4. The Inspector of Reformatory Schools in Ireland shall be also the Inspector of Industrial Schools, and every Certified Industrial School shall from Time to Time, and at least once in each Year, be inspected by the Inspector of Industrial Schools.

Description of Industrial Schools and Managers. 29 & 30 Vict. c. 118. s. 5.

5. A School in which industrial Training is provided, and in which Children are lodged, clothed, and fed, as well as taught, shall exclusively be deemed an Industrial School within the Meaning of this Act.

The Persons for the Time being having the Management or Control of such a School shall be deemed the Managers thereof for the Purposes of this Act.

Mode of certifying Industrial School. 29 & 30 Vict. c. 118. s. 7.

6. The Chief Secretary may, on the Application of the Managers of an Industrial School, direct the Inspector of Industrial Schools to examine into the Condition of the School and its Fitness for the Reception of Children to be sent there under this Act, and to report to him thereon, and the Inspector shall examine and report accordingly.

If satisfied with the Report of the Inspector, the Chief Secretary may, by Writing under his Hand, certify that the School is fit for the Reception of Children to be sent there under this Act, and thereupon the School shall be deemed a Certified Industrial School.

School not to be certified as Industrial and Reformatory. 29 & 30 Vict. c. 118. s. 8.

7. A School shall not be at the same Time a Certified Industrial School under this Act and a Certified Reformatory School under any other Act.

Notices of Certificate to be gazetted. 29 & 30 Vict. c. 118. s. 9.

8. A Notice of the Grant of each Certificate shall within One Month be inserted by Order of the Chief Secretary in the Dublin Gazette.

Copy of Gazette to be Evidence.

A Copy of the Gazette containing the Notice shall be conclusive Evidence of the Grant, which may also be proved by the Certificate itself, or by an Instrument purporting to be a Copy of the Certificate, and to be attested as such by the Inspector of Industrial Schools.

Alterations, &c., of Buildings to be approved. 29 & 30 Vict. c. 118. s. 11.

9. No substantial Addition or Alteration shall be made to or in the Buildings of any Certified Industrial School without the Approval in Writing of the Chief Secretary.

Mode of obtaining Approval of

10. In order to obtain the Approval of the Chief Secretary as aforesaid, where required, the Managers of the School, or Promoters of the intended School, shall forward to such Chief Secretary Particulars

ticulars of the proposed Establishment or Purchase, and a Plan of the proposed Alteration, Enlargement, rebuilding or building, drawn on such Scale, and accompanied by such Particulars and Estimate of Cost as the said Chief Secretary thinks fit to require; and the said Chief Secretary may approve of the Particulars and Plan submitted to him, with or without Modification, or may disapprove of the same, and his Approval or Disapproval shall be certified by Writing under his Hand.

Chief Secretary. 29 & 30 Vict. c. 118. s. 13.

11. It shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town, at any Assizes, and for the Town Councils of the Boroughs of Dublin, Cork, and Limerick, upon the Application of the Managers of any Industrial School which has been or may hereafter be certified under this Act, to present from Time to Time such Sums of Money and on such Conditions as they think fit, towards the Establishment or building of a School intended to be a Certified Industrial School, or towards the Purchase of Land required either for the Use of an existing Certified Industrial School, or for the Site of a School intended to be a Certified Industrial School, or towards the Alteration, Enlargement, or rebuilding of a Certified Industrial School, or towards the Support of the Inmates of such School, or towards the Management of such School: Provided that no Money shall be presented or ordered to be raised as aforesaid under this Act towards the Support of the Inmates of any Industrial School, or towards the Management of any Industrial School, unless the Institution has been duly certified under this Act, and the Certificate be still in force; and that when the Presentment is for the Alteration, Enlargement, rebuilding, Establishment, or building of a School or intended School, or for the Purchase of Land, the Approval of the Chief Secretary of the Lord Lieutenant of Ireland as aforesaid be previously given for that Alteration, Enlargement, rebuilding, Establishment, building, or Purchase.

Power of Grand Jury of a County or Council of a Borough to grant Money towards Establishment and Enlargement of Schools.

12. The Grand Jury of any County, County of a City, or County of a Town, and the Council of any such Borough as aforesaid, at a Special Meeting of such Council called for the Purpose, may appoint and empower a Committee of such Grand Jury or Council to enter into an Agreement with the Managers of any Industrial School, certified as aforesaid for the Reception, Maintenance, and keeping in such Industrial School from Time to Time of such Children as are ordered by Justices or a Magistrate to be sent there from such County or Borough, in consideration of such periodical Payments as may be agreed upon with such Managers; and such Grand Jury or Council shall present the Payments of the Money which may

Grand Jury or Council may contract with the Managers for Reception of Children in Schools.

from Time to Time become payable under such Agreement without any previous Application to a Presentment Sessions.

Monies granted under this Act how to be raised.

13. All Monies presented to be raised and paid for the Reception, Maintenance, and keeping of such Children in such Industrial School shall be presented and raised in the same Manner in all respects and subject to the same Conditions as Money to be presented and raised by the Grand Jury of any such County, or by the Council of such Borough as aforesaid respectively, for defraying the ordinary current Expenditure of their several Gaols.

As to Children under Fourteen Years of Age found begging, &c. 29 & 30 Vict. c. 118. s. 14.

14. Any Person may bring before Two Justices or a Magistrate any Child apparently under the Age of Fourteen Years that comes within any of the following Descriptions, namely,—

That is found begging or receiving Alms (whether actually or under the Pretext of selling or offering for Sale anything), or being in any Street or public Place for the Purpose of so begging or receiving Alms;

That is found wandering and not having any Home or settled Place of Abode, or proper Guardianship, or visible Means of Subsistence;

That is found destitute, either being an Orphan or having a surviving Parent who is undergoing Penal Servitude or Imprisonment;

That frequents the Company of reputed Thieves.

The Justices or Magistrate before whom a Child is brought as coming within One of those Descriptions, if satisfied on Inquiry of that Fact, and that it is expedient to deal with him under this Act, may order him to be sent to a Certified Industrial School.

Temporary Detention in Workhouse, &c. 29 & 30 Vict. c. 118. s. 19.

15. Two Justices or a Magistrate, while Inquiry is being made respecting a Child or respecting a School to which he may be sent, may, by Order signed by them or him, order the Child to be taken to the Workhouse or Poorshouse of the Union, Parish, or Combination in which he is found or resident, and to be detained therein at the Cost of the Union, Parish, or Combination for any Time not exceeding Seven Days, or until an Order is sooner made for his Discharge or for his being sent to a Certified Industrial School; and the Guardians of the Poor for the Union or Parish, or the Keeper of the Poorshouse, or other Person to whom the Order is addressed, are and is hereby empowered and required to detain him accordingly.

As to Children under 12 Years.

16. Where a Child, apparently under the Age of Twelve Years, is charged before Two or more Justices in Petty Sessions, or a Police

Police Magistrate acting in any Police Court for the Dublin Metropolitan Police District, with an Offence punishable by Imprisonment or a less Punishment, but has not been convicted of Felony, and the Child ought, in the Opinion of the said Justices or Magistrate, (regard being had to his Age and to the Circumstances of the Case,) to be dealt with under this Act, the said Justices or Magistrate may order him to be sent to a Certified Industrial School.

of Age charged with Offences.

17. The Order of Justices or a Magistrate sending a Child to a School (in this Act referred to as the Order of Detention in a School) shall be in Writing, signed by the Justices or Magistrate, and shall specify the Name of the School.

Form and Contents of Order sending Child to School.

The School shall be some Certified Industrial School (whether situate within the Jurisdiction of the Justices or Magistrate making the Order or not) the Managers of which are willing to receive the Child, and the Reception of the Child by the Managers of the School shall be deemed to be an Undertaking by them to teach, train, clothe, lodge, and feed him during the whole Period for which he is liable to be detained in the School, or until the Withdrawal or Resignation of the Certificate of the School takes effect, or until the Contribution out of Money provided by Parliament towards the Custody and Maintenance of the Children detained in the School is discontinued, whichever shall first happen.

The School named in the Order shall be presumed to be a Certified Industrial School until the contrary is shown.

The Order shall specify the Time for which the Child is to be detained in the School, being such Time as to the Justices or Magistrate seems proper for the teaching and training of the Child, but not in any Case extending beyond the Time when the Child will attain the Age of Sixteen Years: Provided always, that no Child shall be sent to any such Industrial School except to some One Industrial School under the exclusive Management of Persons of the same Religious Persuasion as that professed by the Parents, or *should that be unknown, by the* Guardians of such Child, and in all Cases in which the Religion of the Parents and Guardians of such Child is unknown, the said Child shall be considered as belonging to that Religious Persuasion in which he shall appear to have been baptized, or, that not appearing, to which he shall profess to belong.

18. If the Parent, Step-parent, or Guardian, or if there be no Parent, Step-parent, or Guardian, then the God-parent or nearest adult Relative of a Child sent or about to be sent to a Certified Industrial School which is not conducted in accordance with the

Power to Parent, &c., to apply to remove Child to a School

Schools conducted in Accordance with Child's Religious Persuasion. 29 & 30 Vict. c. 118. s. 20.

Religious Persuasion to which the Child belongs, states to the Justices or Magistrate by whom the Order of Detention has been or is about to be made (or to Two Justices or a Magistrate having like Jurisdiction), that he objects to the Child being sent to or detained in the School specified or about to be specified in the Order, and names another Certified Industrial School in Ireland which is conducted in accordance with the Religious Persuasion to which the Child belongs, and signifies his Desire that the Child be sent thereto, then and in every such Case the Justices or Magistrate shall, upon Proof of such Child's Religious Persuasion, comply with the Request of the Applicant; provided—

First, that the Application be made before the Child has been sent to a Certified Industrial School, or within Thirty Days after his Arrival at such School; and

Secondly, that the Applicant show, to the Satisfaction of the Justices or Magistrate, that the Managers of the School named by him are willing to receive the Child.

Order to be Warrant for Conveyance and Detention. 29 & 30 Vict. c. 118. s. 22.

19. The Order of Detention in a School shall be forwarded to the Managers of the School with the Child, and shall be a sufficient Warrant for the Conveyance of the Child thither, and his Detention there.

Expenses of Conveyance to School. 29 & 30 Vict. c. 118. s. 23.

20. The Expense of conveying to a Certified Industrial School a Child ordered to be sent there shall be defrayed by the Police Authorities by whom he is conveyed, and shall be deemed Part of the Current Expenses of those Police Authorities.

Evidence of Order of Detention. 29 & 30 Vict. c. 118. s. 24.

21. An Instrument purporting to be an Order of Detention in a School and to be signed by Two Justices or a Magistrate, or purporting to be a Copy of such an Order, and to be certified as such a Copy by the Clerk to the Justices or Magistrate by whom the Order was made, shall be Evidence of the Order.

Religious Instruction in School. 29 & 30 Vict. c. 118. s. 25.

22. A Minister of the Religious Persuasion specified in the Order of Detention as that to which the Child appears to the Justices or Magistrate to belong may visit the Child at the School on such Days and at such Times as are from Time to Time fixed by Regulations made by the Chief Secretary, for the Purpose of instructing him in Religion.

Lodging Child out of School. 29 & 30 Vict. c. 118. s. 26.

23. The Managers of a School may permit a Child sent there under this Act to lodge at the Dwelling of his Parent or of any trustworthy and respectable Person, so that the Managers teach, train, clothe, and feed the Child in the School as if he were lodging in

in the School itself, and so that they report to the Chief Secretary, in such Manner as he thinks fit to require, every Instance in which they exercise a Discretion under this Section.

Licence for living out of School. 29 & 30 Vict. c. 118. s. 27.

24. The Managers of a School may, at any Time after the Expiration of Eighteen Months of the Period of detention allotted to a Child, by Licence under their Hands, permit him to live with any trustworthy and respectable Person named in the Licence, and willing to receive and take charge of him.

Any Licence so granted shall not be in force for more than Three Months, but may at any Time before the Expiration of those Three Months be renewed for a further Period not exceeding Three Months, to commence from the Expiration of the previous Period of Three Months, and so from Time to Time until the Period of the Child's Detention is expired.

Any such Licence may also be revoked at any Time by the Managers of the School by Writing under their Hands, and thereupon the Child to whom the Licence related may be required by them, by Writing under their Hands, to return to the School.

The Time during which a Child is absent from a School in pursuance of a Licence shall, except where such Licence has been forfeited by his Misconduct, be deemed to be Part of the Time of his Detention in the School, and at the Expiration of the Time allowed by the Licence he shall be taken back to the School.

A Child escaping from the Person with whom he is placed under a Licence, or refusing to return to the School on the Revocation of his Licence, or at the Expiration of the Time allowed thereby, shall be deemed to have escaped from the School.

Power to apprentice Child. 29 & 30 Vict. c. 118. s. 28.

25. The Managers of a School may, at any Time after a Child has been placed out on Licence as aforesaid, if he conducted himself well during his Absence from the School, bind him, with his own Consent, Apprentice to any Trade, Calling, or Service, notwithstanding that his Period of Detention has not expired, and every such Binding shall be valid and effectual to all Intents.

Rules of School to be approved by Chief Secretary. 29 & 30 Vict. c. 118. s. 29.

26. The Managers of a Certified Industrial School may from Time to Time make Rules for the Management and Discipline of the School, not being inconsistent with the Provisions of this Act; but those Rules shall not be enforced until they have been approved in Writing by the Chief Secretary; and Rules so approved shall not be altered without the like Approval.

A printed Copy of Rules purporting to be the Rules of a School so approved, and to be signed by the Inspector of Industrial Schools, shall be Evidence of the Rules of the School.

Evidence as to Reception in School, &c.

29 & 30 Vict. c. 118. s. 30.

27. A Certificate purporting to be signed by One of the Managers of a Certified Industrial School or their Secretary, or by the Superintendent or other Person in charge of the School, to the effect that the Child therein named was duly received into and is at the signing thereof detained in the School, or has been duly discharged or removed therefrom, or otherwise disposed of according to Law, shall be Evidence of the Matters therein stated.

Refusal to conform to Rules.

28. If a Child sent to a Certified Industrial School, and while liable to be detained there, being apparently above Ten Years of Age, and whether lodging in the School itself or not, wilfully neglects or wilfully refuses to conform to the Rules of the School, he shall be guilty of an Offence against this Act, and on summary Conviction thereof before Two Justices in Petty Sessions, or a Police Magistrate acting in any Police Court for the Dublin Metropolitan Police District, shall be liable to be imprisoned, with or without Hard Labour, for any Term not less than Fourteen Days and not exceeding Three Months, and the said Justices or said Police Magistrate before whom he is convicted may direct him to be sent, at the Expiration of the Term of his Imprisonment, to a Certified Reformatory School, and to be there detained, subject and according to the Provisions of a Statute passed in the Twenty-first and Twenty-second Years of Her Majesty, entitled "An Act "to promote and regulate Reformatory Schools in Ireland."

21 & 22 Vict. c. 103.

Penalty on Child escaping from School.

29. If a Child sent to a Certified Industrial School, and while liable to be detained there, and whether lodging in the School itself or not, escapes from the School, or neglects to attend thereat, he shall be guilty of an Offence against this Act, and may at any Time before the Expiration of his Period of Detention be apprehended without Warrant, and may (any other Act to the contrary notwithstanding) be then brought before a Justice or a Police Magistrate having Jurisdiction in the Place or District where he is found, or in the Place or District where the School from which he escaped is situate, and he shall thereupon be liable, on summary Conviction before such a Justice or Police Magistrate, to be, by and at the Expense of the Managers of the School, brought back to the same School, there to be detained during a Period equal to so much of his Period of Detention as remained unexpired at the Time of his committing the Offence.

If the Child charged with such an Offence is apparently above Ten Years of Age, then, on his summary Conviction of the Offence before Two such Justices or such a Police Magistrate, he shall be liable, at the Discretion of the Justices or Police Magistrate, instead of being sent back to the same School, to be imprisoned, with or without

without Hard Labour, for any Term not less than Fourteen Days, and not exceeding Three Months; and the Justices or Police Magistrate before whom he is convicted may direct him to be sent at the Expiration of the Term of his Imprisonment to a Certified Reformatory School, and to be there detained subject and according to the Provisions of a Statute passed in the Twenty-first and Twenty-second Years of Her Majesty, entitled "An Act to promote and regulate Reformatory Schools in Ireland." 21 & 22 Vict. c. 103.

30. If any Person does any of the following Things; (that is to say,) Penalty on Persons inducing Offenders to escape from Certified Industrial Schools. 29 & 30 Vict. c. 118. s. 34.

First, knowingly assists, directly or indirectly, a Child liable to be detained in a Certified Industrial School to escape from the School;

Second, directly or indirectly, induces such a Child so to escape;

Third, knowingly harbours or conceals a Child who has so escaped, or prevents him from returning to School, or knowingly assists in so doing;

Every such Person shall be guilty of an Offence against this Act, and shall, on summary Conviction thereof before Two Justices or a Magistrate, be liable to a Penalty not exceeding Twenty Pounds, or, at the Discretion of the Justices, to be imprisoned for any Term not exceeding Two Months, with or without Hard Labour.

31. The Commissioners of Her Majesty's Treasury may from Time to Time contribute, out of Money provided by Parliament for the Purpose, such Sums as the Secretary of State from Time to Time thinks fit to recommend towards the Custody and Maintenance of Children detained in Certified Industrial Schools. Power to Treasury to contribute towards Custody, &c. of Children detained. 29 & 30 Vict. c. 118. s. 35.

32. The Parent, Step-parent, or other Person for the Time being legally liable to maintain a Child detained in a Certified Industrial School, shall, if of sufficient Ability, contribute to his Maintenance and Training therein a Sum not exceeding Five Shillings per Week. Contribution by Parent, &c. 29 & 30 Vict. c. 118. s. 39.

33. On the Complaint of the Inspector of Industrial Schools, or of any Agent of the Inspector, or of any Constable under the Directions of the Inspector (with which Directions every Constable is hereby required to comply), at any Time during the Detention of a Child in a Certified Industrial School, Two Justices or a Magistrate having Jurisdiction at the Place where the Parent, Step-parent, or other Person liable as aforesaid resides may, on Summons to the Parent, Step-parent, or other Person liable as aforesaid, examine into his Ability to maintain the Child, and may, if they or he think fit, make an Order or Decree on him for the Payment to the Order for Enforcement of Contribution by Parent, &c. 29 & 30 Vict. c. 118. s. 40.

Inspector or his Agent of such weekly Sum, not exceeding Five Shillings per Week, as to them or him seems reasonable, during the whole or any Part of the Time for which the Child is liable to be detained in the School.

Every such Order or Decree may specify the Time during which the Payment is to be made, or may direct the Payment to be made until further Order.

Every such Payment or a proper proportionate Part thereof shall go in relief of the Charges on Her Majesty's Treasury, and the same shall be accounted for as the Commissioners of Her Majesty's Treasury direct, and where the Amount of the Payment ordered in respect of any Child exceeds the Amount contributed by the Commissioners of Her Majesty's Treasury in respect of that Child, the Balance shall be accounted for and paid to the Managers of the School.

The Chief Secretary may, in his Discretion, remit wholly or partially any Payment so ordered.

Two Justices or a Magistrate having Jurisdiction to make such an Order or Decree may from Time to Time vary any such Order or Decree as Circumstances require, on the Application either of the Person on whom such Order or Decree is made, or of the Inspector of Industrial Schools or his Agent, on Fourteen Days Notice being first given of such Application to the Inspector or Agent, or to such Person respectively.

Detention to cease on Child attaining Sixteen. 29 & 30 Vict. c. 118. s. 41.

34. A Person who has attained the Age of Sixteen Years shall not be detained in a Certified Industrial School, except with his own Consent in Writing.

Transfer to another School by Chief Secretary.

35. It shall and may be lawful for the Chief Secretary to order a Child to be transferred from one Certified Industrial School to another: Provided that such Removal shall not increase the whole Period of such Child's Detention in an Industrial School, and that the Removal shall only be to some Industrial School under the Management of Persons of the same Religious Persuasion as that to which he might have been originally committed.

The Commissioners of Her Majesty's Treasury may pay, out of Money provided by Parliament for the Purpose, such Sums as the Chief Secretary thinks fit to recommend in discharge of the Expenses of the Removal of any Child transferred under the Provisions of this Act.

Discharge by Chief Secretary. 29 & 30 Vict. c. 118. s. 43.

36. The Chief Secretary may at any Time order any Child to be discharged from a Certified Industrial School or from any Industrial School established under any other Act of Parliament, the general

general Rules for the Government whereof have been approved by the said Chief Secretary, either absolutely or on such Condition as the said Chief Secretary approves, and the Child shall be discharged accordingly.

Power for Chief Secretary to withdraw Certificate. 29 & 30 Vict. c. 118. s. 44.

37. The Chief Secretary, if dissatisfied with the Condition of a Certified Industrial School, may at any Time, by Notice under his Hand addressed to and served on the Managers thereof, declare that the Certificate of the School is withdrawn as from a Time specified in the Notice, not being less than Six Months after the Date thereof; and at that Time the Certificate shall be deemed to be withdrawn accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Resignation of Certificate by Managers. 29 & 30 Vict. c. 118. s. 45.

38. The Managers or the Executors or Administrators of a deceased Manager (if only One) of a Certified Industrial School may give Notice in Writing to the Chief Secretary of their Intention to resign the Certificate of that School, and at the Expiration in the Case of Managers of Six Months, and in the Case of Executors or Administrators of One Month, from the Receipt of that Notice by the said Chief Secretary (unless before that Time the Notice is withdrawn) the Certificate shall be deemed to be resigned accordingly, and the School shall thereupon cease to be a Certified Industrial School.

Gazetting and Evidence of Withdrawal, &c. 29 & 30 Vict. c. 118. s. 46.

39. A Notice of the Withdrawal or Resignation of the Certificate of a Certified Industrial School shall within One Month be inserted by Order of the Chief Secretary in the "Dublin Gazette."

A Copy of the "Dublin Gazette" containing such Notice shall be conclusive Evidence of such Withdrawal or Resignation.

A Certificate shall be presumed to be in force until the Withdrawal or Resignation thereof is proved.

Cesser of Reception of Children on Notice, &c. 29 & 30 Vict. c. 118. s. 47.

40. Where Notice is given of the Withdrawal or Resignation of the Certificate of a Certified Industrial School, no Child shall be received into the School for Detention under this Act after the Receipt by the Managers of the School of the Notice of Withdrawal, or after the Date of the Notice of Resignation, as the Case may be; but the Obligation of the Managers to teach, train, clothe, lodge, and feed any Children detained in the School at the Time of such Receipt or at the Date of such Notice shall, except as far as the Chief Secretary otherwise directs, be deemed to continue until the Withdrawal or Resignation of the Certificate takes effect, or until the Contribution out of Money provided by Parliament towards the Custody and Maintenance of the Children detained in the School is discontinued, whichever shall first happen.

 41. Where

Discharge of Children detained, &c. 29 & 30 Vict. c. 118. s. 48.

41. Where a School ceases to be a Certified Industrial School the Children detained therein shall be either discharged or transferred to some other Certified Industrial School by Order of the Chief Secretary.

Use of Forms in Schedule. 29 & 30 Vict. c. 118. s. 52.

42. No Summons, Notice, or Order made for the Purpose of carrying into Effect the Provisions of this Act shall be invalidated for Want of Form only; and the Forms in the Schedule to this Act annexed, or Forms to the like Effect, may be used in the Cases to which they refer, with such Variations as Circumstances require, and when used shall be deemed sufficient.

Service of Notices on Managers. 29 & 30 Vict. c. 118. s. 53.

43. Any Notice may be served on the Managers of a Certified Industrial School by being delivered to any One of them personally, or by being sent by Post or otherwise in a Letter addressed to them or any of them at the School, or at the usual or last known Place of Abode of any of the Managers, or of their Secretary.

Acts regulating Procedure.

44. The Petty Sessions (Ireland) Act, 1851, shall apply to all Offences, Payments, and Orders in respect of which Jurisdiction is given to Justices or a Police Magistrate by this Act, or which are by this Act directed to be prosecuted, enforced, or made in a summary Manner or on summary Conviction.

The SCHEDULE.

FORMS.

(A.)

Order sending Child to Industrial School.

to wit. } Be it remembered, That on the Day of , in pursuance of The Industrial Schools Act (Ireland), 1867, we, Two of Her Majesty's Justices of the Peace* for the said [County] of , do order that *A.B.* of (whose Religious Persuasion, as ascertained by Provision in Section 18. of the said Act, is), being a Child subject to the Provisions of Section of the said Act, be sent to the Certified Industrial School at , and that he be detained there during .

(Signed) *L.M.*
N.O.

(C.)

Complaint for enforcing Contribution from Parent, &c.

to wit. } The Complaint of the Inspector of Industrial Schools [*or as the Case may be*] made to us,† the undersigned, Two of Her Majesty's Justices of the Peace for the said County of , this Day of at in the same County, who says, that one *A.B.* of (*) the Age of Years or thereabouts, is now detained in the Industrial School at in the County of , under The Industrial Schools (Ireland) Act, 1867, and has been duly ordered and directed to be detained therein until the Day of : That one *C.B.*, dwelling in the Parish of in the County of is the Parent [*or* Step-parent, *&c.*] of the said *A.B.*, and is of sufficient Ability to contribute to the Support and Maintenance of the said *A.B.*, his Son: (*) The said Complainant therefore prays that the said *C.B.* may be summoned to show Cause why an Order should not be made on him so to contribute.

Exhibited before us *C.D.*
(Signed) *J.S.*
L.M.

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* Or in Dublin, "I, Police Magistrate of the Dublin Metropolitan Police District."

† Or in Dublin, "to me, a Police Magistrate of the Dublin Metropolitan Police District."

(D.)

Summons to the Parent.

To *C.B.* of [Labourer.]

WHEREAS Information hath this Day been laid [*or* Complaint hath this Day been made] before the undersigned [One, *or as the Case may be*] of Her Majesty's Justices of the Peace in and for the said [County] of for that you [*here state shortly the Matter of the Information or Complaint*]: These are therefore to command you in Her Majesty's Name to be and appear on at o'Clock in the Forenoon at before such Justices of the Peace for the said County [*or as the Case may be*] as may then be there, to answer the said Information [*or* Complaint], and to be further dealt with according to Law.

Given under my [*or* our] Hand and Seal, this Day of in the Year of our Lord at in the [County] aforesaid.

(E.)

Order on Parent, &c. to contribute a Weekly Sum.

to wit. { BE it remembered, That on this Day of at in the said [County] of a certain Complaint of the Inspector of Industrial Schools [*or as the Case may be*], for that One *A.B.* of, *&c.* [*stating the Cause of Complainant as in the Form* (C.) *between the Asterisks* (*) (*)], was duly heard by and before us, the undersigned, Two of† Her Majesty's Justices of the Peace in and for the said [County] of (in the Presence and Hearing of the said *C.B.*, *if so*, *or* the said *C.B.* not appearing to the Summons duly issued and served in this Behalf); and we, having duly examined into the Ability of the said *C.B.*, and on consideration of all the Circumstances of the Case, do order the said *C.B.* to pay to the said Inspector [*or* to an Agent of the said Inspector] the Sum of Shillings per Week from the Date of this Order until Day of , the same to be paid at the Expiration of each [Fourteen, *or as the Case may be*, Days].

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [County] aforesaid.

J.S. (L.S.)
L.M. (L.S.)

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† Or in Dublin, "One of the Police Magistrates of the Dublin Metropolitan Police District."

(F.)

Distress Warrant for Amount in arrear.

to wit. } To the Head or other Constable of , and to all other Peace Officers in the said [County] of

WHEREAS on the Hearing of a Complaint made by the Inspector of Industrial Schools [*or as the Case may be*], that *A.B.* of, *&c.* [*stating the Cause of Complaint as in the Form* (C.) *between the Asterisks* (*) (*), an Order was made on the Day of by us, the undersigned [*or* by *L.M.* and *J.H.*], Two † of Her Majesty's Justices of the Peace in and for the said [County] of against the said *C.B.*, to pay to the said Inspector [*or, as the Case may be*] the Sum of per Week from the Date of the said Order until the Day of , the same to be paid at the Expiration of each [Twenty-eight] Days [*or as the Case may be*] (*): And whereas there is due upon the said Order the Sum of being for [Three] Periods of [Fourteen] Days each, and Default has been made therein for the Space of Fourteen Days:

These are therefore to command you, in Her Majesty's Name, forthwith to make Distress of the Goods and Chattels of the said *C.B.*, and if within the Space of [Five] Days next after the making of such Distress the said last-mentioned Sum, together with the reasonable Charges of taking and keeping the said Distress, is not paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale to the Clerk of the Justices of the Peace for the of that he may pay and apply the same as by Law directed, and may render the Overplus (if any), on Demand, to the said *C.B.*; and if no such Distress can be found, then that you certify the same to us, to the end that such Proceedings may be had therein as the Law requires.

Given under our Hands and Seals, this Day of at in the [County] aforesaid.

J.S. (L.S.)

L.M. (L.S.)

† Or in Dublin "One of the Police Magistrates of the Dublin Metropolitan Police District."

(G.)

Commitment in default of Distress.

} To the Head or other Constable of and to the
to wit. } Keeper of the [*Prison*] at in the said
[County] of .

WHEREAS [*&c., as in the Form* (F.) *to the single Asterisk* (*), *and then thus*] : And whereas afterwards on the Day of last, I, the undersigned, together with *L.M.*, Esquire, [*or J.S.* and *L.M.*, Esquires,] Two † of Her Majesty's Justices of the Peace in and for the said [County] of , issued a Warrant to the Constable of aforesaid, commanding him to levy the Sum of due upon the said recited Order, being for [Three] Periods of [Fourteen] Days, by Distress and Sale of the Goods and Chattels of the said *C.B.*: And whereas a Return has this Day been made to me the said Justice [*or* the undersigned, One of Her Majesty's Justices of the Peace in and for the said [County] of], that no sufficient Goods of the said *C.B.* can be found :

These are therefore to command you the said Head Constable of to take the said *C.B.*, and him safely to convey to the [Prison] at aforesaid, and there deliver him to the Keeper thereof, together with this Precept: And I do hereby command you the said Keeper of the said [Prison] to receive the said *C.D.* into your Custody in the said [Prison], there to imprison him for the Term of , unless the said Sum, and all Costs and Charges of the said Distress, and of the Commitment and conveying of the said *C.D.* to the said [Prison], amounting to the further Sum of , shall be sooner paid unto you the said Keeper, and for your so doing this shall be your sufficient Warrant.

Given under my Hand and Seal, this Day of in the Year of our Lord at in the [County] aforesaid.

J. S. (L.S.)

† Or in Dublin "One of the Police Magistrates of the Dublin Metropolitan Police District."

Industrial Schools (Ireland).

A

B I L L

[AS AMENDED IN COMMITTEE]

To extend the Industrial Schools Act to Ireland.

(*Prepared and brought in by The O'Conor Don, Mr. Monsell, and Mr. Leader.*)

Ordered, by The House of Commons, *to be Printed*, 2 *April* 1867.

[Bill 102.]

Under 3 *oz.*

A

B I L L

TO

Alter certain Duties and to amend the Laws relating to the Inland Revenue.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

As to Excise.

Alteration of Excise Duties on Licences to deal in Gold and Silver Plate.

1. In lieu of the Duties now payable in Great Britain on Licences to Persons trading in, vending, or selling Gold or Silver Plate, and in Ireland on Licences to Persons to sell or make Gold or Silver Plate, there shall from and after the Fifth Day of July One thousand eight hundred and sixty-seven be charged and paid the following Excise Duties on Licences to deal in Plate to be taken out yearly in the United Kingdom by the Persons herein-after mentioned; (that is to say,)

By every Person who shall trade in or sell any Article composed wholly or in part of Gold or Silver, in respect of every House, Shop, or other Place in which his Trade or Business shall be carried on—

Where the Gold shall be above Two Pennyweights and under Two Ounces in Weight, or the Silver above Five Pennyweights

weights and under Thirty Ounces in Weight, the Sum of *Two Pounds Six Shillings*;

Where the Gold shall be of the Weight of Two Ounces or upwards, or the Silver of the Weight of Thirty Ounces or upwards, the Sum of *Five Pounds Fifteen Shillings*:

By every Person duly licensed as a Hawker, Pedlar, or Petty Chapman who shall sell in the ordinary Course of his trading as a Hawker, Pedlar, or Petty Chapman any Article composed wholly or in part of Gold or Silver, the same Duties as above mentioned according to the Weight of the Gold or Silver:

By every Pawnbroker who shall trade in or sell any Article composed wholly or in part of Gold or Silver, or who shall take in Pawn, or deliver out of Pawn, any such Article in respect of every House, Shop, or other Place in which his Trade or Business shall be carried on, the Sum of *Five Pounds Fifteen Shillings*:

By every Refiner of Gold or Silver in respect of every House, Shop, or other Place as aforesaid, the Sum of *Five Pounds Fifteen Shillings*.

Provisions of former Acts to apply to the Duties on Plate Licences.

2. The Duties granted by this Act on Licences to deal in Plate, and the said Licences shall be Excise Duties and Licences, and shall be under the Management of the Commissioners of Inland Revenue, and all the Powers, Provisions, Clauses, Regulations, and Directions contained in or imposed by any Act relating to Excise Duties or Licences, or to Penalties under Excise Acts, and now or hereafter in force, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and the Licences relating thereto, and to the Penalties hereby imposed, so far as the same are applicable, and shall be observed, applied, and enforced for and in the collecting, securing, and recovering of the said last-mentioned Duties and Penalties hereby granted and imposed respectively, and the granting and Management of the said Licences, and otherwise in relation to the said Duties, Penalties, and Licences, so far as the same shall be consistent with and not superseded by the express Provisions of this Act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said last-mentioned Duties, Penalties, and Licences respectively.

Penalty for dealing in Plate without Licence 50*l.*

3. Every Person who shall do any Act, or carry on any Trade or Business for which a Licence to deal in Plate is required by this Act, without having in force a proper Licence authorizing him so to do, shall for every Offence forfeit the Sum of *Fifty Pounds*; and in any Proceeding for the Recovery of such Penalty it shall be sufficient to

to allege that the Defendant did deal in Plate without a proper Licence in that Behalf, and it shall not be necessary further or otherwise to describe the Offence.

Plate Licence not necessary for the Sale of Lace, Wire, &c

4. No Licence to deal in Plate shall be necessary to enable any Person to trade in, or sell, or to take in Pawn, or deliver out of Pawn, Gold or Silver Lace, or Gold or Silver Wire, Thread, or Fringe.

Goods sold for Gold or Silver to be deemed to be so.

5. All Articles sold or offered for Sale, or taken in Pawn or delivered out of Pawn, and alleged to be composed wholly or in part of Gold or Silver, shall, for the Purposes of this Act, be deemed and taken to be composed of Gold and Silver respectively as alleged; and if upon the Hearing of any Information for any Offence against this Act any Question shall arise touching the Quantity of Gold or Silver contained in any Article the Proof of such Quantity shall lie upon the Defendant.

Plate Licences to expire on 5th July in each Year.

6. Every Licence to deal in Plate taken out under this Act shall be dated the Day on which the same shall be granted, and shall expire on the *Fifth Day of July* next after the granting of the same: Provided, that every Person who at the Time of the passing of this Act shall be the Holder of a Licence to sell or make Gold or Silver Plate in Ireland, expiring on the *Fifth Day of January* in the Year *One thousand eight hundred and sixty-eight*, shall, if he shall take out a Licence to deal in Plate under this Act at any Time before the *First Day of February* in the same Year, be entitled to have the same upon Payment of *One Half* the Duty chargeable upon such Licence under this Act.

Repeal of Enactments specified in Schedule A.

7. The several Sections and Parts of Sections of the Acts specified in the Schedule A. to this Act annexed shall be repealed, save as to any Duties due or in arrear, and as to any Penalties incurred on or before the passing of this Act.

Repealing so much of Acts as require Entries to be made by Coffee, Tea, and Tobacco Dealers.

8. So much of any Act as requires a Seller of or Dealer in Coffee, Tea, Cocoa Nuts, or Chocolate, to make Entry of any Premises for the keeping or selling the same, is hereby repealed; and so much of any Act as requires a Dealer in and Retailer of Tobacco or Snuff to make Entry of any Premises for storing, keeping, or selling of Tobacco or Snuff is also hereby repealed: Provided, that where a Manufacturer of Tobacco or Snuff shall be a Dealer therein or Retailer thereof in any Premises adjoining his Manufactory such Premises shall be entered together with the Manufactory.

Section 25. of 6 G. 4. c. 81. to con-

9. Notwithstanding the Enactment contained in the preceding Section, the Provisions of Section Twenty-five of the Act of the

tinue in force with respect to Tea and Tobacco Dealers.

Sixth of George the Fourth, Chapter Eighty-one, shall continue in force, and be deemed to apply to every Person who shall have taken out a Licence to trade in or sell Coffee, Tea, Cocoa Nuts, or Chocolate, or a Licence to deal in or sell Tobacco or Snuff; and in the Construction of the said Section Twenty-five, in relation to such Person, the Expression "entered Premises" shall be deemed to mean the Premises wherein his Trade or Business is exercised or carried on.

Officers of Excise may examine Coffee, Tea, Tobacco, &c. in possession of Dealers.

10. It shall be lawful for any Officer of Excise at any Time, (but if between the Hours of Eleven at Night and Five in the Morning, then in the Presence of a Constable or other lawful Peace Officer,) to enter into the Premises of every Person who shall sell or deal in, or who shall have taken out a Licence to sell or deal in Coffee, Tea, Cocoa Nuts, Chocolate, Tobacco, or Snuff, and to examine all Coffee, Tea, Cocoa Nuts, Chocolate, Tobacco, or Snuff, in the Premises of such Person.

Part of Section 5. of 4 & 5 W. 4. c. 51. relating to Entries repealed.

11. So much of Section Five of the Act passed in the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Fifty-one, as enacts that the Officer of Excise who shall have received such Entry as is in the said Section mentioned shall copy the same into the Book kept and known by the Name of the General Entry Book for the Division or Ride in which the House, Building, Room or Place, Vessel or Utensil described in such Entry shall be intended to be used, and that the Supervisor of the District shall examine and compare the Copy so made in such Book as aforesaid with the original Entry, is hereby repealed, except as to any Entry made before the passing of this Act.

Entries to be kept in a Book which is to be Evidence in any legal Proceeding.

12. The Commissioners of Inland Revenue shall furnish the Officer of Excise of every Division or Ride with a Book, to be called the General Entry Book of such Division or Ride, and such Officer upon receiving any such Entry as is mentioned in the said Fifth Section of the Act of the Fourth and Fifth of King William the Fourth, Chapter Fifty-one, shall forthwith securely affix the same in such Book, and such Officer on his being removed from such Division or Ride shall deliver over such Book together with the Entries contained therein to the Officer succeeding him in such Division or Ride; and where upon the Trial of any Indictment, Information, Action, Suit, or Prosecution, or upon any other legal or judicial Proceeding whatsoever, any Question shall be made or shall arise whether any House, Building, Room or Place, Vessel or Utensil of which Entry is required to be made under any Act of Parliament relating to the Revenue of Excise was entered by the Person by whom the same shall have been used, it shall be deemed and taken to be sufficient

Proof

Proof of such Entry, if upon the Production by any Officer of Excise of the said General Entry Book of the Division or Ride in which such House, Building, Room or Place, Vessel or Utensil shall have been used, such House, Building, Room or Place, Vessel or Utensil shall be found in any Entry contained in such Book purporting to have been made by any such Person without further Evidence; and if upon the Production of such Book no such House, Building, Room or Place, Vessel or Utensil shall be found in any Entry contained therein, or if found shall appear to have been entered for another or different Purpose than the Purpose for which the same shall be charged or alleged to have been used by such Person, every such House, Building, Room or Place, Vessel or Utensil shall be deemed and taken to be unentered, unless by other Evidence the contrary be made to appear: Provided always, that nothing herein contained shall be deemed to repeal or alter the Provisions of any former Act relating to the Proof of any such Entry as aforesaid made before the passing of this Act.

Repeal of 1 W. 4. c. 64. ss. 4 & 5. relating to Beer Retailers Bonds.

13. Sections Four and Five of the Act passed in the First Year of the Reign of King William the Fourth, Chapter Sixty-four, relating to Bonds to be entered into by Persons requiring Licences to retail Beer under that Act are hereby repealed.

Petty Sessions (Ireland) Act, 1851.

14. Whereas the Twenty-second Section of the Petty Sessions (Ireland) Act, 1851, contains a Provision that in every Case of summary Jurisdiction where the Justices shall be authorized to award any penal or other Sum, they may order that the same shall be paid either forthwith or at such Time as they shall see fit to fix: Be it enacted, That the said Provision shall not extend to any Penalty which shall be awarded for any Offence committed against the Provisions of the Act of the First and Second Years of the Reign of King William the Fourth, Chapter Fifty-five, intituled "An Act to "consolidate and amend the Laws for suppressing the illicit making "of Malt and Distillation of Spirits in Ireland."

Provisions of Section 22. of Petty Sessions Act not to apply to Penalties under Illicit Distillation Act.

The Provisions of Section 8. of 25 Vict. c. 22. extended to all Brewers.

15. The Provisions contained in the Eighth Section of the Act passed in the Twenty-fifth Year of the Reign of Her present Majesty, Chapter Twenty-two, shall extend to and be applied and put in force in the Case of every Brewer of Beer for Sale, whether he shall have taken out a Licence as a Brewer of Beer for Sale for the First Time or otherwise.

Provisions of 19 & 20 Vict. c. 34. s. 19. extended to

16. Whereas by the Nineteenth Section of the Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter Thirty-four, it is enacted, that all Corn or Grain found

roasted Malt in possession of a Brewer.

in the Custody or Possession of any Roaster of Malt or Dealer in roasted Malt, which Corn or Grain shall not have germinated to such a Degree that the Plumule thereof shall have been elongated to the Extent of One Half of the Length of the Grain shall be deemed to be unmalted Corn or Grain within the Meaning of an Act passed in the Second Session of Parliament holden in the Fifth Year of Her Majesty's Reign, Chapter Thirty: Be it enacted, That all roasted Corn or Grain found in the Custody or Possession of any Brewer of Beer for Sale which shall not have germinated to the Degree aforesaid, subject as in the recited Enactment is expressly provided, shall be deemed to be unmalted Corn or Grain within the Meaning of the Seventeenth Section of an Act passed in the First Year of the Reign of His late Majesty King William the Fourth, Chapter Fifty-one; and

Undried Malt in possession of a Malt Roaster to be deemed unmalted Grain.

that all Corn or Grain, whether roasted or unroasted, found in the Custody or Possession of any Roaster of Malt which shall not have been perfectly dried upon the Kiln at the Malthouse at which the same shall have been steeped to be made into Malt shall also be deemed to be unmalted Corn or Grain within the Meaning of the said Act of the Second Session of Parliament holden in the Fifth Year of Her Majesty's Reign.

Penalty upon unlicensed Persons (not being Travellers for licensed Persons) soliciting Orders for Spirits, Wine, &c.

17. If any Person shall solicit, take, or receive any Order for Spirits, Wine, or other Article, for the dealing in, retailing, or selling whereof an Excise Licence is by Law required, without having in force a proper Excise Licence authorizing him so to do, he shall forfeit the Penalty imposed by Law upon a Person dealing in, retailing, or selling such Article without having an Excise Licence in force authorizing him so to do; and in any Case in which the Place of Business or Residence of the Offender shall not be known to the Officer of Excise who shall exhibit any Information for the Recovery of such Penalty as aforesaid, or if known, shall be out of the United Kingdom, it shall be sufficient Service of the Notice and Summons required to be given to a Defendant by any Law of Excise if the same be left at the House or Place where the Offender shall have solicited, taken, or received any such Order as aforesaid, addressed to such Offender: Provided always, that nothing herein contained shall be deemed to apply to the Sale of any Spirits or Foreign Wine while the same shall be and remain in the Warehouse or Warehouses in which the same shall have been deposited, lodged, or secured according to Law, before Payment of Duty upon the Importation thereof, where such Spirits or Foreign Wine shall be sold in a Quantity not less than One hundred Gallons at One Time, or to impose a Penalty upon a bonâ fide Traveller taking Orders for Goods which his Employer is duly licensed to deal in or sell.

18. After

18. After the *First Day of October in the Year of our Lord One thousand eight hundred and sixty-seven* the annual Duty payable upon a Licence to be taken out by a Retailer of Methylated Spirit under the Provisions contained in the Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, shall be the Sum of *Ten Shillings*. Reduction of Duty on Licences to Retailers of Methylated Spirit.

19. Whereas by an Act passed in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Ninety-three, Lime Water is permitted to be used in the Manufacture of Welsh and Irish Snuff, and it is expedient to limit the Quantity of Lime that may be used in such Manufacture: Be it enacted, That if any Person being a Manufacturer of, Dealer in, or Retailer of Tobacco or Snuff shall have in his Custody or Possession any Snuff in which on Examination thereof there shall be found to be any Quantity of the Oxides of Calcium and Magnesium, or of either of such Oxides, exceeding by *One per Centum* the Proportion of the Quantity of such Oxides contained in the Tobacco or Tobacco Stalks or Returns of Tobacco from which such Snuff shall have been manufactured or shall be in course of Manufacture; or if any such Person shall have in his Custody or Possession any Snuff in which on Examination thereof there shall be found any Quantity of the said Oxides, or of either of them, exceeding the Proportion of *Thirteen Pounds* Weight of such Oxides in every Hundred Pounds Weight of such Snuff, he shall forfeit *Two hundred Pounds* and also the said Snuff: Provided that any Sample of Snuff, Tobacco, or Tobacco Stalks or Returns of Tobacco which shall be examined for the Purpose of ascertaining the Quantity of the said Oxides contained therein shall first be dried at a Temperature of Two hundred and twelve Degrees as denoted by Fahrenheit's Thermometer; and for the Purposes of this Section the Term "Snuff" shall include all Snuff and all Tobacco, Tobacco Stalks and Returns of Tobacco, which shall be in course of Manufacture into Snuff. Lime and Magnesia in Snuff not to exceed certain Proportions.

As to Stamps.

20. Whereas Doubts are entertained as to the Stamp Duty payable on Coupons, and the Time for stamping the same, and the Persons by whom the same are to be stamped: Be it declared and enacted, That any Coupon, Warrant, or other Document entitling or intended to entitle any Person to receive any Money in respect of Interest or Dividend payable by any Company, Corporation, or Person, or payable in the United Kingdom by or on behalf of any Foreign or Colonial Government, State, Company, Corporation, or Person, shall be chargeable with the Stamp Duty of One Stamp Duty on Coupons, &c. as Drafts or Orders for the Payment of Money on Demand.

Penny as a Draft or Order for the Payment of Money on Demand, and with no further or other Stamp Duty: Provided, that the above Charge shall not extend to any Coupon issued in pursuance of "The Stock Certificate Act, 1863," or "The India Stock Certificate Act, 1863."

The Holder of an unstamped Coupon to affix an adhesive Stamp thereon before Presentation for Payment.

21. Every Coupon, Warrant, or Document chargeable with Duty as aforesaid and not having the proper impressed Stamp thereon shall, before the same shall be presented for Payment, have affixed thereto a proper adhesive Stamp for denoting the Duty; and in any Case where an adhesive Stamp shall be affixed to any such Coupon, Warrant, or Document, the Person presenting the same for Payment shall, before he shall deliver the same out of his Hands, Custody, or Power, cancel the Stamp so affixed by writing thereon his Name and the Date on which he shall so write, to the End that such Stamp may not be again used.

Penalty.

And if any Person shall present for Payment any such Coupon, Warrant, or Document unstamped, or if any Person who ought as directed by this Act to cancel the adhesive Stamp on any such Coupon, Warrant, or Document in manner aforesaid, shall refuse or neglect so to do, such Person so offending in any such Case shall forfeit the Sum of *Twenty Pounds*.

Persons to whom unstamped Coupons are presented for Payment may affix Stamps thereto.

22. Where any such Coupon, Warrant, or Document shall be presented for Payment to any Person unstamped, it shall be lawful for such Person to affix thereto a proper adhesive Stamp, and to cancel the same in like Manner as directed in the preceding Section, and upon so doing to pay the Sum specified in such Coupon, Warraut, or Document, after deducting the Duty therefrom; and such Coupon, Warrant, or Document, when so stamped shall be deemed to be properly stamped; but the Person by whom the said Coupon, Warrant, or Document was presented shall not be thereby relieved from the Liability to the Penalty he may have incurred by presenting the same unstamped.

Stamp Duties granted on certain Documents.

23. From and after the passing of this Act the following Documents shall be charged with the Stamp Duty of *One Penny*; that is to say,

Letters of Allotment.

Letter of Allotment of any Share of any Company or proposed Company, or in respect of any Loan raised or proposed to be raised by any such Company, or Letter of Allotment issued or delivered in the United Kingdom of any Share of any Foreign or Colonial Company or proposed Company, or in respect of any Loan raised or proposed to be raised by or on behalf of any

any Foreign or Colonial Government, State, Company, or Corporation; and the Term "Letter of Allotment" hereinbefore used shall include Letter of Renunciation or other Document having the Effect of a Letter of Allotment in favour of any Person:

Scrip Certificates.

Scrip Certificate or other Document entitling any Person to become the Proprietor of any Share of any Company or proposed Company, or Scrip Certificate or other Document issued or delivered in the United Kingdom, entitling any Person to become the Proprietor of any Share of any Foreign or Colonial Company or proposed Company:

Scrip.

Scrip or other Document denoting or intended to denote the Right of any Person as a Subscriber in respect of any Loan raised or proposed to be raised by any Company, or any Scrip or other Document issued or delivered in the United Kingdom denoting or intended to denote the Right of any Person as a Subscriber in respect of any Loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Company, or Corporation:

Share Certificates and Stock Certificates.

Share Certificate, or Stock Certificate, or other Document denoting or intended to denote the Right or Title of any Person to any Share or Stock of any Company; or any Share Certificate, or Stock Certificate, or other Document, issued or delivered in the United Kingdom, denoting or intended to denote the Right or Title of any Person to any Share or Stock of any Foreign or Colonial Company, or in respect of any Loan raised by or on behalf of any Foreign or Colonial Government, State, Company, or Corporation.

Penalty for signing, &c. the Documents charged unstamped.

24. If any Person shall sign, grant, issue, or deliver any Document chargeable with Stamp Duty under the Provisions of the Section lastly herein-before contained, before the same shall be duly stamped for denoting the said Duty, he shall forfeit the Sum of *Twenty Pounds*.

Section 8 of 16 & 17 Vict. c. 63. repealed.

25. Section Eight of the Act of the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Sixty-three, is hereby repealed.

Stamp Duties on Transfer of certain Bonds.

26. The Stamp Duties chargeable under an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven, on the Transfer or Assignment, Disposition or Assignation of Bonds shall cease and determine, and from and after the passing of this Act there shall be charged and paid for and upon every

every Transfer or Assignment, Disposition or Assignation of any Bond given as a Security for the Payment or Repayment of Money, or for the Transfer or Retransfer of any Share in any of the Stocks or Funds mentioned in the Schedule to the said Act, and of any Bond, Debenture, or other Security charged with Stamp Duty by an Act passed in the Twenty-fifth Year of Her Majesty's Reign, Chapter Twenty-two, the following Stamp Duties; (that is to say,) for every full Sum of *One hundred Pounds*, and also for any fractional Part of *One hundred Pounds*, thereby transferred, assigned, or disponed of the Amount or Value of the Principal Money or Stock secured by such Bond, Debenture, or other Security, or of the Penalty of the Bond in respect whereof the same is charged with Duty, as the Case may be, the Duty of *Sixpence:* Provided always, that in the Case of a Bond charged with the fixed maximum Duty of One Pound or One Pound Fifteen Shillings no Transfer, Assignment, Disposition, or Assignation thereof hereby charged shall be chargeable under this Act with more than the Amount of such fixed maximum Duty.

Scale of Stamp Duties on Appointments to Ecclesiastical Benefices in Scotland in lieu of former Duties.

27. In lieu of the Stamp Duties now payable for or upon any Collation, Institution, or Admission by any Presbytery, or other competent Authority to any Ecclesiastical Benefice in Scotland, there shall be charged and paid the following Stamp Duties; (that is to say,)

For and upon any Presentation or Nomination by whomsoever made of or to any Ecclesiastical Benefice in Scotland;

Also for and upon any Collation or Institution to any Ecclesiastical Benefice in Scotland, which shall not be made or proceed upon a Presentation or Nomination duly stamped:

Where the net yearly Value of any such Benefice in Money or in Produce estimated according to the average Amount thereof for Three Years preceding where practicable, and in other Cases, according to the best Information that can be obtained, or in Money and Produce so estimated—

	£
Shall exceed 50*l.* and not exceed 100*l.* - - -	1
„ 100*l.* „ „ 150*l.* - - -	2
„ 150*l.* „ „ 200*l.* - - -	3
„ 200*l.* „ „ 250*l.* - - -	4
„ 250*l.* „ „ 300*l.* - - -	5
And where such Value shall exceed 300*l.* - - -	7
And also (where such Value shall exceed 300*l.*) for every 100*l.* thereof over and above the first 200*l.*, a further Duty of - - - - - -	5

28. No

28. No Stamp Duty shall be chargeable for or upon any Licence to be granted by any Archbishop, Bishop, Chancellor, or other Ordinary in England or Ireland, or by any Presbytery or other Ecclesiastical Power in Scotland, for the Purpose of authorizing or enabling any Person to preach or exercise any other spiritual Function, such Licence not being a Licence to hold the Office of Lecturer, Reader, or Chaplain, and there being no Salary or Emolument for, or attached to, the Exercise of the Function for which such Licence may be granted. Certain Licences granted by Ecclesiastical Authority not chargeable with Stamp Duty.

As to Taxes.

29. From and after the Fifth Day of April One thousand eight hundred and sixty-seven, in order to entitle the Occupier of any Tenement or Building, or Part of a Tenement or Building to Exemption from Inhabited House Duties on the Ground of such Premises being occupied as a House for the Purposes of Trade only, or as a Warehouse for the sole Purpose of lodging Goods, Wares, or Merchandise therein, or as a Shop or Counting-house, or being used as Offices or Counting-house, it shall not be necessary to prove, nor shall Proof be required that such Occupier resides in a separate and distinct Dwelling House or Part of a Dwelling House charged with the said Duties. As to Exemption of Trade Premises from Inhabited House Duty.

30. From and after the passing of this Act it shall be lawful for the Commissioners executing the several Acts relating to the Duties of Assessed Taxes to hear and determine Appeals against Charges certified under the said Acts at any Time within Twenty-one Days after the Close of the Year to which such Charges relate. Extending Time for hearing Appeals.

SCHEDULE A. containing the Enactments repealed by Section 7. of this Act.

Act.	Subject.	Extent of Repeal.
31 Geo. 2. c. 32.	For granting a Duty on Licences to be taken out by all Persons dealing in Gold or Silver Plate, &c. &c.	Sections 2, 3, 4, 6, 7, 10, 11, 12 13.
32 Geo. 2. c. 24.	To amend the Law relating to Licences to deal in Gold and Silver Plate.	Sections 1, 2. 3, 4, 5, 6, 7, 8.
59 Geo. 3. c. 32.	To continue an Act granting additional Duties of Excise.	Section 3.
6 Geo. 4. c. 118.	To transfer Collection of Plate Licences from Commissioners of Excise to Commissioners of Stamps.	So much of Section 1. as relates to Licences to Persons to sell or make Gold or Silver Plate in Ireland.—Sections 2, 3.
9 Geo. 4. c. 49.	To amend the Laws relating to Licences to Dealers in Gold and Silver Plate, &c. &c.	So much of Section 12 as relates to Licences to deal in Plate.
5 & 6 Vict. c. 82.	To assimilate the Stamp Duties in Great Britain and Ireland, &c. &c.	So much of Section 2 as relates to Licences to Persons to sell or make Gold or Silver Plate in Ireland.

Inland Revenue.

A

BILL

To alter certain Duties and to amend the Laws relating to the Inland Revenue.

(*Prepared and brought in by Mr. Dodson, Mr. Hunt, and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed,* 9 *July* 1867.

[Bill 239.]

Under 2 *oz.*

A

B I L L

INTITULED

An Act for the Relief of Widows and Children of Intestates, where the Personal Estate is of small Value.

WHEREAS many poor Persons die intestate, possessed of Shares or an Interest in a Co-operative or other Company or Society, or leave small Debts due, or other Property belonging, to them, of which their Widows or Issue can derive no Benefit without taking out Letters of Administration, and it is desirable to relieve them from the Expenses attending the same: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Who may make an Affidavit for Purposes of Act before a Registrar of a County Court. [27&28 Vict. c. 56. s. 5.]

1. The Widow of an Intestate, One of the Issue of an Intestate, whether Male or Female, being of the Age of Twenty-one Years, or where none of the Issue are of the Age of Twenty-one Years, an Uncle or Aunt of One or more of the said Issue, may, where the whole Estate and Effects of the Intestate shall not exceed in

Value the Sum of One hundred Pounds, make Affidavit before the Registrar of the County Court within the District of which the Deceased usually resided at the Time of his Death, setting forth the Value of the Estate and Effects of which the Intestate died possessed.

Affidavit not to be made before One Month.

2. The Affidavit shall not be made before the Lapse of One Month from the Day of the Death of the Intestate, or Two Months if the Registrar shall have received Notice of a Will or an Intention to administer.

Identity of Person may be required.

3. The Registrar may require, in any Case he sees fit, a Reference to some Person known to him by Reputation or otherwise, to establish the Identity and Relationship of the Applicant.

Registrar may refuse to take Affidavit.

4. If the Registrar has reason to believe that the whole Estate and Effects of which the Intestate died possessed exceeds in Value One hundred Pounds, he shall refuse to take the Affidavit either absolutely or until he is satisfied of the Truth of the Affidavit.

Person making Affidavit may sue for Moneys due to Estate of Intestate.

5. When the Affidavit is made the Registrar shall deliver to the Person making the Affidavit an Office Copy, sealed with the Seal of the Court and certified by him; and thereupon such Person shall be entitled to sue for the Recovery of or to receive any Sum of Money due to the Estate of the Intestate, or to the Transfer of any Share in any Company or Society, or to the Benefit of any Interest of the Deceased in the Funds of such Company, notwithstanding any Law, Statute, or Rule to the contrary; and such Copy of the Affidavit shall be admitted in all Courts and Places whatsoever as Evidence of such Right.

Payment to Person making Affidavit declared valid.

[18&19Vict. c. 63. s. 31. 26&27 Vict. c. 87. s. 44.]

6. Payment of any Sum of Money or Transfer of any Share made by any Court, Company, Savings Bank, Bank, Society, or Person to any Person who shall have made such Affidavit shall be valid and effectual with respect to any Demand of any Person, as Next of Kin or as the lawful Representative of the deceased Intestate, against the Funds of such Court, Company, Savings Bank, Bank, Society, or Person, or against the Directors, Trustees, Managers, or Officers of such Court, Company, Savings Bank, Bank, or Society, notwithstanding any Law, Statute, or Rule to the contrary; but such Next of Kin or Representative shall have Remedy against the Person to whom Payment or Transfer is made.

7. The

Power to frame Rules and Orders under 19 & 20 Vict. c. 108. s. 32.

7. The County Court Judges appointed or to be appointed by the Lord Chancellor from Time to Time to frame Rules and Orders for regulating the Practice of the Courts and Forms of Proceeding therein, under the Thirty-second Section of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight, shall frame the Rules and Orders for regulating the Practice under this Act, and Forms of Proceedings therein, and from Time to Time amend such Rules, Orders, and Forms; and such Rules, Orders, and Forms, or amended Rules, Orders, and Forms, certified under the Hands of such Judges or of any Three or more of them, shall be submitted to the Lord Chancellor, who may allow or disallow or alter the same, and so from Time to Time; and the Rules, Orders, and Forms, or amended Rules, Orders, and Forms, so allowed or altered, shall, from a Day to be named by the Lord Chancellor, be in force.

Remuneration of Registrars.

8. The Registrars of the County Courts shall be remunerated for the Duties to be performed by them under this Act by receiving for their own Use the Fees set forth in the Schedule to the Act.

Not to affect Duty on Letters of Administration.

9. Provided always, That nothing herein contained shall be construed to affect any Duty now payable on Letters of Administration.

SCHEDULE.

	s.	*d.*
For taking and filing Affidavit where Property does not exceed in Value 20*l.* - - - - - -	2	6
Where it exceeds 20*l.*, for every Fraction of 10*l.* above 20*l.*, an additional - - - - - -	1	0

Intestates' Widows and Children. [H.L.]

A

BILL

INTITULED

An Act for the Relief of Widows and Children of Intestates, where the Personal Estate is of small Value.

(*Brought from the Lords 7 June* 1867.)

Ordered, by The House of Commons, *to be Printed*, 5 *July* 1867.

[Bill 230.]

Under 1 oz.

A

B I L L

FOR

The Relief of Widows and Issue of Intestates in Scotland where the Succession is of small Value.

Preamble.

WHEREAS many poor Persons in Scotland die intestate, leaving Moveable Estate of small Amount, from which their Widows or Issue can derive no Benefit without obtaining an Appointment of Executors, and it is desirable to relieve them from the Expenses attending the same:

Obtaining an Appointment of Executors.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:—

Extent of Act.

1. This Act shall extend to Scotland only.

Interpretation of Terms.

2. Unless there is anything in the Context repugnant to such Construction, the following Words in this Act shall have the Meanings hereby assigned to them:

The Word "Issue" shall include Descendants in any Degree:

The Word "Commissary" shall include Commissary Depute:

The Word "Person" shall include Corporations, Clubs, Co-operative and other Societies, Savings or other Banks, Joint Stock Companies and Partnerships.

Who may make an Affidavit for Purposes of Act before a Commissary.

3. The Widow of an Intestate, One of the Issue of an Intestate being of the Age of Twenty-one Years, or, where none of the Issue are of the Age of Twenty-one Years, an Uncle or Aunt of One or more of the said Issue, may, where the whole Estate and Effects of the Intestate, Heritable and Moveable, shall not exceed in Value the Sum of One hundred Pounds, make Affidavit in the Form contained in the Schedule (A.) hereto annexed, or as near thereto as Circumstances will admit, before the Commissary of the Commissariat within which the Deceased usually resided at the Date of his Death, setting forth the Estate and Effects of which the Intestate died possessed, and the Value thereof.

When Affidavit may be made.

4. The Affidavit shall not be made before the Lapse of *One Month* from the Day of the Death of the Intestate, or Two Months if a Petition for Appointment of Executors shall have been presented.

Identity of Person may be required.

5. The Commissary may require, in any Case he sees fit, a Reference to some Person known to him by Reputation or otherwise, to establish the Identity and Relationship of the Applicant.

Commissary may refuse to take Affidavit.

6. If the Commissary has Reason to believe that the whole Estate and Effects of which the Intestate died possessed exceeds in Value One hundred Pounds, he shall refuse to take the Affidavit, either absolutely or until he is satisfied of the Truth of the Affidavit: Provided also, that the Commissary shall be entitled to refuse or to delay to take the Affidavit, unless or until he is satisfied that it will be for the Interest of the whole Representatives and Creditors of the Deceased, if any, that the Affidavit should be so taken.

Person making Affidavit may sue for Monies, &c. due to Estate of Intestate.

7. When the Affidavit is taken, the Commissary Clerk shall deliver to the Person making the Affidavit a certified Copy thereof, sealed with the Seal of the Court, and certified by him; and thereupon such Person shall be entitled to sue for the Recovery or Delivery or Transfer of, or to receive, uplift, or accept Transfer of any Sum of Money or any other Moveable Property or Interest forming Part of the Estate of the Deceased, notwithstanding any Law, Statute, or Rule to the contrary; and such Copy of the Affidavit shall be admitted in all Courts and Places whatsoever as Evidence of such Right.

Payment to Person making Affidavit declared valid.

8. Payment of any Sum of Money or Delivery or Transfer of any other Moveable Property or Interest to any Person who shall have made such Affidavit shall be valid and effectual, and a sufficient Defence to any Demand of any Person whatsoever, notwithstanding any Law, Statute, or Rule to the contrary; but the Person to whom such

such Payment, Transfer, or Delivery is made shall be liable to account to any Person establishing a preferable Title to the Sums of Money paid or other Moveable Property or Interest transferred or delivered to him as aforesaid.

Acts of Sederunt may be made.

9. The Court of Session are hereby empowered from Time to Time to pass Acts of Sederunt establishing such Regulations, as the said Court may deem meet, to carry into effect the Provisions of this Act, and may from Time to Time, by Acts of Sederunt as aforesaid, alter and amend such Regulations.

Remuneration of Commissary Clerks.

10. The Commissary Clerks shall be remunerated for the Duties to be performed by them under this Act by receiving for their own Use the Fees set forth in the Schedule (B.) annexed to this Act.

Saving Clause.

11. Nothing herein contained shall be construed to affect any Duty now payable on Appointment of Executors.

SCHEDULE (A.)

Form of Affidavit and Inventory.

At the Day of 186 ,
in Presence of Esquire, Commissary
of the Commissariot of .

Compeared , who, being solemnly sworn and examined, depones:

I am [Widow, *or* One of the Issue, *or* Uncle *or* Aunt of One of the Issue, *as the Case may be*] of the Deceased who died at on the Day of 186 , and who at said Date usually resided within the Commissariat of ; and I depone that the Deceased left [*here state Name and Designation of Widow and Issue, if any*], and I farther depone that the whole Estate and Effects of the Deceased, consisting of the Items mentioned in the Inventory hereto annexed, did not exceed the Value of One hundred Pounds.

(*Signature of Deponent*) _____

(*Signature of Commissary*) _____

Inventory.

No.	Articles.	Value.
		£ *s.* *d.*
	... ...	... ...
	... ...	... ...
	... ...	... ...
	Total Value - - £	... ...

(*Signature of Deponent*) _____

(*Signature of Commissary*) _____

SCHE-

SCHEDULE (B.)

Fees to be paid to Commissary Clerks.

	s.	*d.*
For issuing, filling-up, attending taking, recording, and making certified Copy, and sealing Affidavit, where Property does not exceed in Value £20. - - - -	3	6
Where it exceeds 20*l.*, for every Fraction of 10*l.* above 20*l.* an additional - - - - - -	1	6

Intestates Widows an Children (Scotland).

A

B I L L

For the Relief of Widows and Issue of Intestates in Scotland where the Succession is of small Value.

(*Prepared and brought in by Sir Graham Montgomery and Mr. Secretary Gathorne Hardy.*)

Ordered, by The House of Commons, *to be Printed* 1 *July* 1567.

[Bill 261.]

Under 1 *oz.*

A

BILL

TO

Remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

WHEREAS by an Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her present Majesty, Chapter Thirty-five, "to further amend the Law "of Property, and to relieve Trustees," it is enacted, that "when a "Trustee, Executor, or Administrator shall not by some Instruments "creating his Trust be expressly forbidden to invest any Trust "Fund on Real Securities in any Part of the United Kingdom, or on "the Stock of the Bank of England or Ireland, or on East India "Stock, it shall be lawful for such Trustee, Executor, or Administrator to invest such Trust Fund on such Securities or Stock; and "he shall not be liable on that account as for a Breach of Trust; "provided that such Investment shall in other respects be reasonable "and proper:" Preamble. 22 & 23 Vict. c. 35. s. 32.

And whereas Doubts have arisen as to the legal Effect and Signification of the Words "East India Stock" in the said Act mentioned:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application of Term "East India Stock" in recited Act.

1. The Words "East India Stock," in the said Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Thirty-five, shall include and express as well the East India Stock which existed previously to the Thirteenth Day of August One thousand eight hundred and fifty-nine, when the said Act received the Assent of Her Majesty, as East India Stock, charged on the Revenues of India, and created under and by virtue of any Act or Acts of Parliament which received Her Majesty's Assent on or after the Thirteenth Day of August One thousand eight hundred and fifty-nine: and it shall be lawful for every Trustee, Executor, or Administrator to invest any Trust Fund in his Possession or under his Control in the Stock created by the last-mentioned Act or Acts to the same Extent, and for the same Purposes and Objects, as he can now invest such Trust Fund in the East India Stock which existed previously to the Thirteenth Day of August One thousand eight hundred and fifty-nine.

Trustees in transferring Trust Funds to consider equally Interests of Tenant for Life and of Persons entitled in Reversion.

2. Every Trustee, Executor, or Administrator who shall transfer a Trust Fund from any Security in which it is invested, and shall invest such Trust Fund in any other Security, shall, in making such Transfer or Investment, take into consideration as well the Interests of the Tenant or Tenants for Life named in the Deed, Will, or Instrument creating him such Trustee, Executor, or Administrator, as the Interests of the Person or Persons absolutely entitled to the Capital or Principal of such Trust Fund after the Death of such Tenant or Tenants for Life.

Investment of Trust Funds.

A

BILL

To remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

(*Prepared and brought in by Mr. Henry B. Sheridan and Mr. Ayrton.*)

Ordered, by The House of Commons, *to be Printed,* 7 *June* 1867.

[Bill 197.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

WHEREAS by an Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her present Majesty, Chapter Thirty-five, "to further amend the Law "of Property, and to relieve Trustees," it is enacted, that "when a "Trustee, Executor, or Administrator shall not by some Instruments "creating his Trust be expressly forbidden to invest any Trust "Fund on Real Securities in any Part of the United Kingdom, or on "the Stock of the Bank of England or Ireland, or on East India "Stock, it shall be lawful for such Trustee, Executor, or Administrator to invest such Trust Fund on such Securities or Stock; and "he shall not be liable on that account as for a Breach of Trust; "provided that such Investment shall in other respects be reasonable "and proper:" Preamble. 22 & 23 Vict. c. 35. s. 32.

And whereas Doubts have arisen as to the legal Effect and Signification of the Words "East India Stock" in the said Act mentioned:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application of Term "East India Stock" in recited Act.

1. The Words "East India Stock," in the said Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Thirty-five, shall include and express as well the East India Stock which existed previously to the Thirteenth Day of August One thousand eight hundred and fifty-nine, when the said Act received the Assent of Her Majesty, as East India Stock, charged on the Revenues of India, and created under and by virtue of any Act or Acts of Parliament which received Her Majesty's Assent on or after the Thirteenth Day of August One thousand eight hundred and fifty-nine; and it shall be lawful for every Trustee, Executor, or Administrator to invest any Trust Fund in his Possession or under his Control in the Stock created by the last-mentioned Act or Acts to the same Extent, and for the same Purposes and Objects, as he can now invest such Trust Fund in the East India Stock which existed previously to the Thirteenth Day of August One thousand eight hundred and fifty-nine.

Trustees may invest in any Securities Interest whereon is guaranteed by Parliament.

2. It shall be lawful for every Trustee, Executor, or Administrator to invest any Trust Fund in his Possession or under his Control in any Securities the Interest of which is or shall be guaranteed by Parliament, to the same Extent and in the same Manner as he may invest such Trust Fund in such Securities as aforesaid.

Investment of Trust Funds.

A

BILL

[AS AMENDED IN COMMITTEE]

To remove Doubts as to the Power of Trustees, Executors, and Administrators to invest Trust Funds in certain Securities, and to declare and amend the Law relating to such Investments.

(*Prepared and brought in by Mr. Henry B. Sheridan and Mr. Ayrton.*)

Ordered, by The House of Commons, *to be Printed*, 16 *July* 1867.

[Bill 259.]

Under 1 *oz.*

A

B I L L

TO

Afford Shareholders of Joint Stock Companies Facilities for voting by means of Voting Papers.

WHEREAS it is expedient that greater Facilities should be afforded to Shareholders in Joint Stock Companies incorporated by Special Act of Parliament, and regulated by the Provisions of the "Companies Clauses Consolidation Act, 1845," for voting at Public Meetings of such Companies: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for any Shareholder in any such Company, in lieu of voting in Person or by Proxy, to nominate any other duly qualified Shareholder of the Company to deliver for him at any Meeting of the Company, or at the Poll, a Voting Paper, according to the Form or to the Effect prescribed in the Schedule to this Act annexed, containing the Vote or Votes to which he may be entitled. Such nominated Shareholder shall be duly authorized and required to deliver such Voting Paper at the Meeting or at the Poll, and such Voting Paper so delivered shall Manner of voting.

shall be received by the proper Officers of the Company, as containing and tendering the Vote or Votes given by the Shareholder so voting.

Penalty against Fraud.

2. Any Person falsely or fraudulently signing any Voting Paper in the Name of any other Person, and every Person tendering, transmitting, or delivering as genuine any false or falsified Voting Paper, knowing the same to be false or falsified, and any Person with fraudulent Intent altering, defacing, destroying, withholding, or abstracting any Voting Paper, and any Person wilfully making a false Answer to any Question put to him by the Returning or other Officer, shall be guilty of a Misdemeanor, or in Scotland of an Offence punishable by Fine or Imprisonment, and shall be punishable by Fine or Imprisonment for a Term not exceeding *Three Months*.

This Act and 8 & 9 Vict. c. 16. to be construed together.

3. This Act shall be read and have effect as Part of the Companies Clauses Consolidation Act, 1845 (Eight and Nine Victoria, Chapter Sixteen), and this Act may for all Purposes be cited as "Companies Voting Act, 1867."

SCHEDULE.

I, of One of the Shareholders of the Company, do hereby declare that I give every Vote to which I am entitled in favour of the ["Motion made by *A. B.* and seconded by *C. D.*," *or* "Amendment moved by *E. F.* and seconded by *G. H.*"] which was made or moved at a Meeting of the Company held on the Day of 18 , [*and so of any other Motion or Amendment*], and I do hereby nominate

A. B.,
C. D.,
or *E. G.*,

being Shareholders duly qualified in the aforesaid Company, or One of them, to deliver this Voting Paper at the Poll on my Behalf.

Witness my Hand [*or, if a Corporation, then* the Common Seal of the Corporation], this Day of 18 .

Signature of Shareholder

Address

Joint Stock Companies (Voting Papers).

A

BILL

To afford Shareholders in Joint Stock Companies Facilities for voting by means of Voting Papers.

(*Prepared and brought in by Mr. Darby Griffith, Mr. Robert Torrens, and Mr. Vance.*)

Ordered, by The House of Commons, *to be Printed*, 6 *February* 1867.

[Bill 3.]

Under 1 oz.

A

B I L L

INTITULED

An Act to provide for the better Despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law.

[Note.—*The Words printed in Red Ink are proposed to be inserted in Committee.*]

WHEREAS a great Part of the Business in the Chambers of the Judges of the Three Superior Courts of Common Law at Westminster might with Advantage to the Public be disposed of by the Masters of the said Courts: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. It shall be lawful for a Majority of all the Judges of the said Courts, which Majority shall include the Two Chief Justices or One of the Chief Justices and the Chief Baron, from Time to Time to make and publish General Rules for the following Purposes; that is to say: A Majority of Judges may make Rules empowering the Masters to transact Business at Chambers.

(1.) For empowering the Masters of the said Courts, or some One or more of them, to do any such Thing and to transact any such Business, and to exercise any such

Authority and Jurisdiction in respect of the same, as by virtue of any Statute or Custom, or by the Rules and Practice of the said Courts or any of them respectively, are now done, transacted, or exercised by a Judge of the said Courts sitting at Chambers, and as shall be specified in any such Rule :

(2.) For regulating the Attendance of the said Masters at Chambers, the Course of Practice to be there pursued, and the Scale of Costs to be there adopted :

(3.) For fixing, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, the Table of Fees to be taken in respect of Business to be transacted before the said Masters at Chambers, and for abolishing or altering from Time to Time (with the like Sanction) such Table of Fees.

Rules to be read in open Court. Copy to be sent to the Lord Chancellor, and to be published in the London Gazette.

2. Every Rule to be made under this Act shall be read aloud in open Court in each of the said Courts Ten clear Days at least before the Day fixed for such Rule coming into operation, and within One Month after that Day a Copy of every such Rule shall be transmitted by the Lord Chief Justice of England to the Lord High Chancellor and shall also be published in the London Gazette.

Rules to be laid before Parliament.

3. Every Rule to be made under this Act shall be laid before both Houses of Parliament within One Month after the making thereof if Parliament be then sitting, or, if Parliament be not then sitting, within One Month after the Commencement of the next Session of Parliament.

Right of Appeal from Orders of the Master.

4. Every Order or Decision made or given under this Act by any Master sitting at Chambers shall be as valid and binding on all Parties concerned as if the same had been made or given before the passing of this Act by a Judge sitting at Chambers : Provided always, that it shall be lawful for any Person affected by any Order or Decision of the Master, within Three clear Days after the same shall have been made or given, to appeal therefrom to a Judge sitting at Chambers, and unless he shall adjourn the Consideration of such Appeal to the Court of which he is a Judge his Decision shall be final.

Judges Chambers (Despatch of Business).

[H. L.]

A

B I L L

INTITULED

An Act to provide for the better Despatch of Business in the Chambers of the Judges of the Superior Courts of Common Law.

(*Brought from the Lords 2 May* 1867.)

Ordered, by The House of Commons, *to be Printed,* 15 *May* 1867.

[Bill 154.]

Under 1 *oz.*

Judgment Debtors Bill.

ARRANGEMENT OF CLAUSES.

Clause.		Provisions of Acts and Bills.*
	Preliminary.	
1.	Short Title.	
2.	Commencement.	
3.	Interpretation.	
	Arrest on Final Process.	1859, §§ 1–27. 1866, §§ 91–94.
4.	Arrest in Execution restrained.	
5.	Present Power of Arrest unaffected in certain Cases.	
6.	Proceedings in the Third of these Cases.	
7.	Saving for Crown.	
	Temporary Arrest on Warrant.	
8.	When Warrant may issue.	
9.	Nature of Warrant.	
10.	Indorsement.	
11.	Authority to arrest.	
12.	Execution.	
13.	Responsibility of Officer.	
14.	Authority to Sheriff to detain.	
15.	Application for Discharge.	
16.	Costs of Application for Discharge.	
17.	Discharge on Payment.	
18.	Writ of Capias must be sued out.	
19.	Proceedings on Writ where Warrant has been executed.	
20.	Where not.	
21.	Duration of Warrant.	
22.	Costs to be allowed, when.	
	Arrest in general.	
23.	Discharge from Custody on Payment.	
24.	Arrest not to be Satisfaction of Debt.	
25.	Extension of Powers of Absconding Debtors Arrest Act to Recorders, &c.	
	Procedure.	
26.	Before whom Affidavits may be sworn.	
27.	Penalty for false Affidavit.	
28.	Judges to direct Form of Writs and certain Warrants.	
29.	Other Warrants to be regulated by General Orders.	

* The Short References are as follows :—
1849.—12 & 13 Vict. c. 106.—Bankrupt Law Consolidation.
1859.—Debtor and Creditor Bill, H.L. (As amended on Report.) 11th March 1859.
1861.—24 & 25 Vict. c. 134.—Bankruptcy and Insolvency.
1866.—Bankruptcy Law Amendment Bill, H.C. (As amended in Committee.) 30th July 1866.

Clause.		Provisions of Acts and Bills.
	Counties Palatine.	
30.	Provision for Counties Palatine.	
	Discharge of existing Prisoners.	7 & 8 Vict. c. 96. s. 58.
31.	Discharge of Persons in Custody at Commencement of Act.	
32.	Subsequent Arrest in case of Fraud, &c.	
33.	Protection of Sheriff, &c.	
34.	Arrest not Satisfaction in such Cases.	
	Arrest on Attachment and for Contempt.	
35.	Restriction on Attachment, and Process of Contempt.	
	Summons under Small Debts Act.	
36.	Extension of Small Debts Act.	
	Judgment Debtor Summons.	1859, §§ 28–41, 47–50.
37.	Judgment Debtor Summons on Judgment at Law.	1861, ss. 76–85, 90.
38.	Judgment Debtor Summons on Decree in Equity, Order in Lunacy, &c.	1866, §§ 119–126.
39.	Issue and Return of Summons.	
40.	Service of Summons in England.	
41.	Service where Debtor in Custody.	
42.	Service of Summons out of England.	
43.	If no Service, Notice in Gazette and Newspaper.	
44.	Procedure on Appearance of Debtor.	
45.	Adjournment and Security.	
46.	Commitment of Debtor on Refusal to be sworn, &c.	
47.	Contents of Warrant.	
48.	Question to be specified.	
49.	Delivery of Copy of Examination.	
50.	Discharge on Habeas Corpus.	
51.	Concealment on Examination Misdemeanour.	
52.	Judgment Debtor keeping out of the Way of Summons a Misdemeanour.	
53.	Costs.	
	Sale in Execution.	
54.	Goods, &c. taken in Execution to be sold by Auction.	1861, s. 74.
55.	Application of Proceeds of Sale in Execution of Trader's Property.	1861, s. 73. 1866, § 241; and see § 101.
	Warrants of Attorney, Cognovits, and Orders for Judgment.	
56.	Filing of Warrant of Attorney and Cognovit Actionem.	1849, s. 136.
57.	Filing of Judge's Order to enter up Judgment.	1849, s. 137.
58.	Application of 3 Geo. 4. c. 39., 6 & 7 Vict. c. 66.	1849, s. 137.

A

BILL

TO

Abolish Arrest on Final Process in Civil Actions in England, except in certain Cases; and otherwise to amend the Law relating to Judgments, Decrees, and Orders.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Judgment Debtors Act, 1867. Short Title.

2. Except as in this Act expressly otherwise provided, this Act shall take effect from and immediately after the *Thirty-first Day of December One thousand eight hundred and sixty-seven* (which Time is in this Act referred to as the Commencement of this Act). Commencement.

3. In this Act the Term "County Court" means a County Court holden by virtue of the Act of the Session of the Ninth and Tenth Years of Her Majesty's Reign (Chapter Ninety-five), "for the more "easy Recovery of Small Debts and Demands in England." Interpretation. 9 & 10 Vict. c. 95.

1859, §§ 1–27.
1866, §§ 91–94.
Arrest in Execution restrained.

Arrest on Final Process.

4. From and after the Commencement of this Act no Person shall be arrested on Final Process in a Civil Action, except in the Cases and Manner in this Act provided; and from and after the same Time no Person shall be charged in Execution in a Civil Action, except where, if not in Custody, he might under this Act be arrested on Final Process therein.

Present Power of Arrest unaffected in certain Cases.

5. The Power of Arrest on Final Process in a Civil Action existing by Law at the Commencement of this Act shall remain unaffected in the following Cases:

I.—Where Judgment is recovered for a Sum exceeding *Twenty Pounds* (exclusive of Costs) as Damages in an Action for Libel, Slander, Assault, Battery, Seduction, Breach of Promise of Marriage, malicious Arrest, malicious Prosecution, malicious Trespass, malicious Injury, or malicious filing or Prosecution of a Petition for Adjudication of Bankruptcy:

II.—Where in an Action for the Recovery of a Debt or Money Demand Judgment is recovered for a Sum exceeding *Twenty Pounds* (exclusive of Costs), and it is certified, either at the Trial by the presiding Judge, or after the Trial by a Judge of a Superior Court of Law, either—

(1.) That the Debt or Liability in respect of which Judgment is recovered was contracted or incurred by the Defendant by or by reason of Fraud or false Pretence or Breach of Trust; or—

(2.) That the Defendant had obtained Forbearance of the Debt or Liability by Fraud or false Pretence; or—

(3.) That the Defendant had put the Plaintiff to unnecessary Expense or Delay by vexatious or frivolous Defence to or Proceedings in or relating to the Action:

III.—Where in the Court in which Judgment is recovered there is filed, by or on behalf of a Person who, if this Act had not been passed, would have been entitled to sue out against a Debtor a Writ of Capias ad satisfaciendum an Affidavit of the Deponent's Belief that the Debtor is about to depart out of England unless he is forthwith arrested.

Proceedings in the Third of these Cases.

6. Provided, as to the thirdly-mentioned Case, as follows:

(1.) A Writ of Capias shall be issued within *Seven Days* from the filing of the Affidavit, and be executed within *Fourteen Days* from the Day of its Date (which shall be the Day of its Issue), inclusive:

(2.) The

(2.) The Person arrested may at any Time after Arrest apply to a Judge of a Superior Court of Law for an Order or Rule on the other Party to show Cause why he (the Person arrested) should not be discharged from Custody, and the Judge either may discharge the Order or Rule (if granted), or may make it absolute, with or without requiring Bail or imposing Terms, or may make such other Order as seems just:

(3.) The Order of a Judge may be varied or discharged by the Court in which the Judgment is recovered:

(4.) Subject to General Orders, the Judge or Court may make such Order with respect to the Costs, Charges, and Expenses of any Party, and the Mode of recovering them, as seems just.

7. Nothing in this Act shall affect the Rights of the Crown in respect of Arrest in Execution. Saving for Crown.

Temporary Arrest on Warrant.

8. From and after the Commencement of this Act a Warrant for the Arrest of a Debtor who, if this Act had not been passed, would have been liable to arrest on a Writ of Capias ad satisfaciendum, shall, unless there appears good Reason to the contrary, be issued, on the Application of the Person who would have been entitled to sue out such Writ, by a Commissioner of the Court of Bankruptcy for a Country District, a County Court Judge, the Judge of a local Court of Record having Jurisdiction in Actions for the Recovery of Sums of *Twenty Pounds* or upwards, the Recorder of a City, Borough, or Town Corporate, a Police or Stipendiary Magistrate, or *Two Justices* of the Peace for the County or Place where Application is made (except a Judge, Recorder, Magistrate, or Justices acting in Middlesex or Surrey), on Proof on Oath of the Deponent's Belief that the Debtor is about to depart out of England unless he is forthwith arrested. When Warrant may issue.

9. The Warrant shall be auxiliary only to the Process by Writ of Capias, and shall be wholly void and of no effect for the Protection of the Person on whose Behalf it issues, unless he also sues out and proceeds on a Writ of Capias in manner in this Act provided. Nature of Warrant.

10. The Warrant shall be indorsed with the Amount of the Debt and Costs. Indorsement.

Authority to arrest.

11. The Officer to whom the Warrant is directed may arrest the Debtor in any Part of England at any Time within *Seven Days* from the Day of the Date of the Warrant (which shall be the Day of its Issue) inclusive, and may detain him.

Execution.

12. The Officer shall indorse on the Warrant a Certificate of the Place and Time where it is executed, and shall at the Time of the Arrest deliver to the Person arrested a Copy of the Warrant.

Responsibility of Officer.

13. The Officer shall be subject to the Jurisdiction of the Court in which the Judgment is recovered, and of any Judge of a Superior Court of Law, and shall be responsible to such Court and Judge, and also to the Person on whose Behalf the Warrant issues, for the due Execution thereof, in like Manner as Sheriffs are responsible for the due Execution of Writs of Capias, and shall be entitled to the like Protection as Sheriffs are entitled to in respect of the Execution of Writs of Capias.

Authority to Sheriff to detain.

14. The Warrant, with the Certificate by this Act required indorsed, being produced to the Sheriff or to the Keeper of the Gaol of the County or other Place where the Warrant issues, shall be a sufficient Authority to him to receive and detain the Debtor, and he shall not be liable for any Act or Default of the Officer.

Application for Discharge.

15. The Person arrested may at any Time after Arrest apply to the Commissioner, Judge, Recorder, Magistrate, or Justices by whom the Warrant was issued, or to a Judge of a Superior Court of Law, for an Order or Rule on the other Party to show Cause why he (the Person arrested) should not be discharged from Custody; and the Commissioner or other Authority aforesaid either may discharge the Order or Rule, or may make it absolute, with or without requiring Bail or imposing Terms, or may make such other Order as seems just.

Costs of Application for Discharge.

16. Subject to General Orders the Commissioner or other Authority aforesaid may make such Order with respect to the Costs, Charges, and Expenses of any Party, and the Mode of recovering them, as seems just.

Discharge on Payment.

17. A Person in Custody under a Warrant may pay the Amount of Debt and Costs indorsed to the Sheriff or other Person in whose Custody he is, and thereupon he shall be entitled to be discharged from Custody forthwith, and he shall be at liberty afterwards to tax the Costs indorsed as if he had been arrested on a Writ of Capias.

18. The

18. The Person on whose Behalf the Warrant issues shall in every Case, and notwithstanding that an Arrest has been effected under the Warrant, forthwith sue out a Writ of Capias from the proper Court. Writ of Capias must be sued out.

19. If the Debtor is arrested under the Warrant, the Person suing out the Writ shall serve the Writ on the Debtor within *Seven Days* from the Day of the Date of the Warrant, inclusive, and thenceforth the Debtor shall be detained under the Writ only, and otherwise shall be entitled to be discharged from Custody forthwith. Proceedings on Writ where Warrant has been executed.

20. If the Debtor is not arrested under the Warrant the Writ shall be subject to the same Rules with respect to the Time of its Execution, and other Things, as are by this Act provided respecting a Writ of Capias issued originally on Affidavit of Belief that the Debtor is about to depart out of England, and as if the Warrant had not issued. Where not.

21. In any Event the Force of the Warrant shall wholly cease at the End of *Seven Days* from the Day of its Date. Duration of Warrant.

22. The Person on whose Behalf the Warrant issues shall be allowed as against the Debtor the Costs of and attending the Warrant, and an Arrest under it, on proof to the Court or proper Officer (but not otherwise) that he had good Reason to believe that he would probably fail in arresting the Debtor if he proceeded by Writ of Capias in the first instance. Costs to be allowed, when.

Arrest in general.

23. A Person in Custody under a Writ of Capias issued under this Act shall be entitled to be discharged from Custody under the Writ at any Time on Satisfaction of the Judgment Debt and Costs, and Payment of the proper Fees and Charges (if any), or, if he does not satisfy the Judgment Debt and Costs, shall be entitled to be discharged from Custody under the Writ at the End of *Six Months* from the Day of his Arrest, inclusive of that Day, on Payment of the proper Fees and Charges, if any. Discharge from Custody on Payment.

24. An Arrest on Final Process made after the Commencement of this Act shall not be a Satisfaction of the Debt, and shall not lessen the Creditor's Rights or Remedies for recovering the Debt by Execution on or Proceedings against the Debtor's Property, or deprive the Creditor of the Benefit of any Charge or Security on any Property; but no Person shall be liable to be arrested more Arrest not to be Satisfaction of Debt.

than once under the same Judgment, except in case of Escape or Rescue, or Discharge on the Ground of temporary Privilege or of Irregularity in the Process, or in case of Discharge having been obtained by Fraud.

Extension of Powers of Absconding Debtors Arrest Act to Recorders, &c.

14 & 15 Vict. c. 52.

25. From and after the Commencement of this Act the Provisions of The Absconding Debtors Arrest Act, 1851, relating to a Commissioner of the Court of Bankruptcy, or County Court Judge, shall extend to the Judge of a local Court of Record having Jurisdiction in Actions for the Recovery of Sums of *Twenty Pounds* or upwards, the Recorder of a City, Borough, or Town Corporate, a Stipendiary Magistrate, and any *Two* Justices of the Peace for the County or Place where the Application for a Warrant under that Act is made (except a Judge, Recorder, Magistrate, or Justices acting in Middlesex or Surrey).

Procedure.

Before whom Affidavits may be sworn.

26. An Affidavit to be used under any of the foregoing Provisions of this Act may in any Case be sworn before any Person authorized to take Affidavits in a Superior Court of Law, or before the Commissioner or other Authority before whom the Affidavit is to be used.

Penalty for false Affidavit.

27. If any Person wilfully makes any false Statement in an Affidavit under any of the foregoing Provisions of this Act he shall be deemed guilty of Perjury.

Judges to direct Form of Writs and certain Warrants.

28. The Judges of the Superior Courts of Law, or any *Two* or more of them, may from Time to Time after the passing of this Act, by General Orders, make Regulations respecting the Form of a Writ of Capias to be issued under any of the foregoing Provisions of this Act, and of a Writ of Arrest on final Process, and of a Warrant to be issued by a Judge of a local Court of Record, Recorder, Magistrate, or Justices under this Act, and respecting the Person to whom any such Writ or Warrant is to be directed, and the Mode of its Execution, and the Fees and Costs to be payable in respect of it, and the Recovery thereof.

Other Warrants to be regulated by General Orders.

29. The Form of a Warrant to be issued by a Commissioner of the Court of Bankruptcy, or a County Court Judge, under this Act, and the Procedure thereon, and the Fees and Costs payable in respect thereof, and the Mode of recovering them, shall be regulated by General Orders to be made from Time to Time after the passing of this Act by the Authority empowered to make General Orders for the Court of Bankruptcy and the County Courts respectively.

Counties Palatine.

Provision for Counties Palatine.

30. Such of the foregoing Provisions of this Act as relate to Judgments of the Superior Courts, and to those Courts or a Judge of One of them, shall extend and apply to Judgments of the Court of Common Pleas of the County Palatine of Lancaster, and to that Court within its Jurisdiction, or a Judge thereof, being also a Judge of One of the Superior Courts of Law at Westminster, and to Judgments of the Court of Pleas of the County Palatine of Durham, and to that Court within its Jurisdiction, or a Justice thereof, being also a Judge of One of the Superior Courts; and the Powers by this Act given to the Judges of the Superior Courts, or *Two* or more of them, to frame and give Directions concerning Writs, shall be exercised, with respect to the said Courts of the Counties Palatine, by the respective Judges of those Courts, being also Judges of the Superior Courts, or by any *Two* of them.

Discharge of existing Prisoners.

7 & 8 Vict. c. 96. s. 58.

Discharge of Persons in Custody at Commencement of Act.

31. Where any Person is at the Commencement of this Act in Prison or Custody under a Writ of Capias ad satisfaciendum, he may at any Time after the Commencement of this Act make Application to a Judge of a Superior Court of Law for his Discharge from Custody, and on such Application he shall be entitled to such Discharge (without Payment of Fees) by Order of the Judge, as follows:

(1.) If he was arrested or is detained in a Case in which he could not be arrested on Final Process after the Commencement of this Act, he shall be entitled to such Discharge forthwith:

(2.) If he was arrested or is detained in a Case in which he might be arrested on Final Process after the Commencement of this Act, he shall be entitled to such Discharge at the Expiration of *Six Months* from the Commencement of this Act.

Subsequent Arrest in case of Fraud, &c.

32. If any such Discharge is obtained unduly or fraudulently, the Person discharged shall, on the same being shown to the Satisfaction of a Judge of a Superior Court of Law, be liable to be, by Order of such Judge, arrested and remanded to his former Custody, but he shall be entitled to his Discharge out of Custody at the Expiration of *Six Months* from his being so again arrested.

Protection of Sheriff, &c.

33. Any Sheriff, Gaoler, or other Person shall not be liable as for the Escape of any Person in respect of his Enlargement during the Time for which he is at large in consequence of such undue or fraudulent Discharge.

 34. Where

Arrest not Satisfaction in such Cases.

34. Where any Person is so discharged his Arrest shall not be deemed to have been a Satisfaction of the Debt, and shall not lessen the Creditor's Rights or Remedies for recovering the Debt by Execution on or Proceedings against the Debtor's Property, or deprive the Creditor of the Benefit of any Charge or Security on any Property.

Arrest on Attachment and for Contempt.

Restriction on Attachment, and Process of Contempt.

35. From and after the Commencement of this Act, Attachment to enforce Payment of Money, Costs, or Fees shall not be issued from any Court of Law or Equity, or from any other Court, or in Lunacy, without a special Order of the Court from which the Attachment issues, or of a Judge thereof, or of the Lord Chancellor, or Lords Justices of the Court of Appeal in Chancery, in Lunacy; nor shall any Person be arrested or imprisoned under any Process of Contempt issued from any Court to enforce Payment of Money, Costs, or Fees without a special Order of the Court from which the Process issues.

Summons under Small Debts Act.

Extension of Small Debts Act. 8 & 9 Vict. c. 127.

36. The Act of the Session of the Eighth and Ninth Years of Her Majesty's Reign (Chapter One hundred and twenty-seven), "for the better securing the Payment of Small Debts," shall with respect to Judgments and Orders obtained after the Commencement of this Act be read and have effect as if the Words *Fifty Pounds* were substituted in Section One thereof for the Words Twenty Pounds.

Judgment Debtor Summons.

1859, §§ 28–41, 47–50. 1861, ss. 76–85, 90. 1866, §§ 119–126.

Judgment Debtor Summons on Judgment at Law.

37 Where any Person having recovered Judgment against another in a Court of Record is entitled to sue out Execution on the Judgment in respect of a Sum exceeding *Fifty* Pounds (exclusive of Costs) the Judgment Creditor may sue out against the Judgment Debtor, if a Trader at the End of *One Week*, and if not a Trader at the End of *One Month*, from the signing of Judgment, whether the Debtor is in Custody or not, a Summons (to be called a Judgment Debtor Summons) requiring him to appear at a Time and Place therein specified, and be examined respecting his Ability to satisfy the Debt.

Judgment Debtor Summons on Decree in Equity, Order in Lunacy, &c.

38. If any Person directed by a Decree or Order of a Court of Equity, or other Court, or an Order in Bankruptcy or in Lunacy, to pay any Money exceeding *Fifty* Pounds (which Person is comprised in the Term Debtor in this Act) disobeys the same, having been

been duly served therewith, and the Person entitled to receive or interested in enforcing Payment of the Money (which Person is comprised in the Term Creditor in this Act) obtains a peremptory Order of the competent Jurisdiction fixing a Day for Payment, and the Debtor fails, if a Trader for *Fourteen Days*, and if not a Trader for *One Month*, after Service on him of the peremptory Order, or after the Day fixed by the peremptory Order for Payment (whichever Period last expires), to pay or tender, or to secure or compound for to the Satisfaction of the Creditor, the Money directed to be paid, the Creditor may at the End of that Period of *Fourteen Days* or *One Month* sue out against the Debtor a Summons (to be called a Judgment Debtor Summons) requiring him to appear at a Time and Place therein specified, and be examined respecting his Ability to satisfy the Demand.

Issue and Return of Summons.

39. A Judgment Debtor Summons may issue out of any Court having Jurisdiction in Bankruptcy, but shall be made returnable as follows, in the Discretion of the Court out of which it issues :

Where at the issuing of the Summons the Debtor is in England, then in any Court having Jurisdiction in Bankruptcy at the Place where the Debtor usually lives or at the issuing of the Summons happens to be :

Where at the issuing of the Summons the Debtor is not in England, then in the Court of Bankruptcy in London.

Service of Summons in England.

40. Where the Debtor is in England the Summons shall be served personally, unless in any Case the Court issuing it thinks fit to direct that Service in some other Manner shall be good Service.

Service where Debtor in Custody.

41. Where the Debtor is in Custody, a Duplicate of the Summons shall be delivered to the Sheriff or other Person in whose Custody he is, who shall bring him up according to the Summons.

Service of Summons out of England.

42. Where the Debtor is not in England, the Court, on Evidence satisfying it what Service will be effectual to give the Debtor Knowledge of the Summons, may order Service to be made by such Means and in such Manner as it thinks fit.

If no Service, Notice in Gazette and Newspaper.

43. If Service of the Summons is not effected, and the Court out of which it issues is satisfied that the Debtor is keeping out of the Way to avoid Service thereof or of other Process, it may order that a Notice or Notices be inserted in the London Gazette, and in a Newspaper or Newspapers published or usually circulated at the Place where is the Debtor's usual or last known Place of Abode

or Business in England, requiring him to appear at a Time and Place therein specified, such Time being not less than *Fourteen Days* after Publication of the first of such Gazette Notices.

Procedure on Appearance of Debtor.

44. On the Appearance of the Debtor he may be examined on Oath or otherwise by or on behalf of the Summoning Creditor and by the Court respecting his Ability to satisfy the Debt or Demand and for the Discovery of Property applicable in that Behalf, and shall produce on Oath or otherwise such Books and Documents in his Possession or Power relating to Property applicable or alleged to be applicable to the Satisfaction of the Debt or Demand as the Court directs, and shall sign his Examination.

Adjournment and Security.

45. The Court may, if it thinks fit, adjourn the Hearing of the Summons from Time to Time, and require from the Debtor such Security for his Appearance at the adjourned Hearing as the Court thinks fit.

Commitment of Debtor on Refusal to be sworn, &c.

46. If the Debtor refuses (when required by the Court) to be sworn, or refuses to answer any lawful Question put by the Court, or does not fully answer to the Satisfaction of the Court any such Question, or refuses to sign his Examination when required by the Court, or does not produce all Books and Documents which he is required by the Court to produce, or fails to give such Security for his Appearance at an adjourned Hearing as the Court requires, the Court may, if it thinks fit, by Warrant commit him to such Prison as the Court appoints, there to remain, without Bail, until he submits himself to the Court, and does the thing which he so refuses or fails to do.

Contents of Warrant.

47. The Warrant of Commitment need not set forth or specify any Part of the Examination of the Debtor, but shall refer to the Examination as remaining on the File of Proceedings, and shall specify the Date thereof.

Question to be specified.

48. Where the Debtor is committed for refusing to answer or not fully answering a Question, that Question shall be specified in his Examination.

Delivery of Copy of Examination.

49. A Copy of the Examination shall be delivered personally to the Debtor within *Forty-eight* Hours after his actual Lodgment in Prison, and in default thereof he shall be discharged from Custody, either by the Court by which he is committed, or by any Court or Judge before whom he is brought by Habeas corpus, with such Costs (if any) as the Court or Judge thinks fit.

50. On

Discharge on Habeas Corpus.

50. On Habeas corpus sued out by the Debtor for his Discharge on any Ground he shall not be discharged by reason only of Informality, but if the Court or Judge before whom he is brought, on Inspection and Consideration of his whole Examination, is of Opinion that his answering is satisfactory, the Court or Judge may order his Discharge.

Concealment on Examination Misdemeanour.

51. If the Debtor does not on his Examination make a full and true Discovery of Property applicable to the Satisfaction of the Debt or Demand, or does not produce all Books and Documents which he is required by the Court to produce, he shall be deemed guilty of a Misdemeanour, and shall be liable, at the Discretion of the Court before which he is convicted on Indictment, to be punished by a Fine not exceeding *Fifty* Pounds, or by Imprisonment for any Term not exceeding *One* Year, with or without Hard Labour, and shall be liable on Summary Conviction to a Penalty not exceeding *Twenty* Pounds, or to Imprisonment for any Term not exceeding *Six* Months, with or without Hard Labour.

On every Prosecution for such a Misdemeanour a Certificate of the Court before which the Debtor was examined, certifying the Proceedings, and to the effect that the Debtor has not made such Discovery or Production as aforesaid (specifying the Particulars of the Offence), shall be Evidence of everything therein stated, and Proof of the contrary shall lie on the Accused.

Judgment Debtor keeping out of the Way of Summons a Misdemeanour.

52. If any Person after Notice of a Judgment, Decree, or Order for a Sum exceeding *Fifty Pounds* (exclusive of Costs) recovered or made against him, with Intent to avoid Service of a Judgment Debtor Summons, or otherwise to defeat or delay the Creditor in obtaining Satisfaction of the Debt or Demand, or his Creditors generally, departs or remains absent from his usual Place of Abode or Business, or otherwise keeps out of the Way of Legal Process, or conceals himself, he shall be deemed guilty of a Misdemeanour, and shall be liable, at the Discretion of the Court before which he is convicted, to Punishment by Imprisonment for any Term not exceeding *One Year*, with or without Hard Labour.

Costs.

53. The Court may make such Order respecting the Costs or the Charges and Expenses of any Person in relation to a Judgment Debtor Summons and the Mode of recovering them as to the Court seems just.

Sale in Execution.

Goods, &c. taken in Execution to

54. Where Personal Property is sold under an Execution on a Judgment recovered in an Action or Suit brought for Recovery

be sold by Auction. 1861, s. 74.

of a Debt, Money Demand, or Damages exceeding *Fifty Pounds*, the same shall, unless the Court in which Judgment is recovered otherwise directs, be sold by the Sheriff by Public Auction, and not by Bill of Sale or Private Contract, and such Sale shall be publicly advertised by the Sheriff on and during *Three* Days next preceding the Day of Sale.

Application of Proceeds of Sale in Execution of Trader's Property. 1861, s. 73. 1866, § 241; and see § 101.

55. If Execution on a Judgment, Decree, or Order against a Trader within the Meaning of the Law of Bankruptcy is levied by Seizure of his Personal Property, or of any Part thereof, before a Petition for Adjudication of Bankruptcy against him is filed, the Sheriff or other Officer making the Levy shall, notwithstanding the subsequent Filing of such a Petition, proceed with the Execution; and if the Debtor is adjudged Bankrupt within *Fourteen Days* from the Day of the Sale, and Notice of the Adjudication is served on the Sheriff or other Officer within that Period of *Fourteen Days*, the Sheriff or other Officer shall pay the Proceeds of the Sale to the Trustee in Bankruptcy, after deducting the Costs of the Action, Execution, and Sale; but otherwise the Sheriff or other Officer shall, at the End of that Period of *Fourteen Days*, pay the Proceeds of the Sale, or so much thereof as ought to be paid, to the Execution Creditor, for his own Benefit, who shall be entitled thereto, notwithstanding the Act of Bankruptcy constituted by the Seisure and Sale.

The Sheriff or other Officer making the Levy is hereby discharged from Liability by reason of anything done by him in Execution or intended Execution or pursuance of this Section.

Warrants of Attorney, Cognovits, and Orders for Judgment.

Filing of Warrant of Attorney and Cognovit Actionem. 1°49, s. 136.

3 Geo. 4. c. 39.

56. Where in a personal Action a Warrant of Attorney to confess Judgment or a Cognovit Actionem is given, and the same, or a true Copy thereof, is not filed with the Officer acting as Clerk of the Docquets and Judgments in the Court of Queen's Bench within *Twenty-one Days* next after the Execution thereof as required by the Act of the Third Year of the Reign of King George the Fourth (Chapter Thirty-nine), "for preventing Frauds upon "Creditors by secret Warrants of Attorney to confess Judgment," the same shall be deemed fraudulent and shall be void; and if any such Warrant of Attorney or Cognovit Actionem so filed was given subject to any Defeasance or Condition, such Defeasance or Condition shall be written on the same Paper or Parchment with the Warrant or Cognovit before the filing thereof, otherwise the Warrant or Cognovit shall be void.

57. Where

Filing of Judge's Order to enter up Judgment. 1849, s. 137.

57. Where a Judge's Order made by Consent is given by a Defendant in a personal Action whereby the Plaintiff is authorized forthwith or at any future Time to sign or enter up Judgment, or to issue or take out Execution, whether such Order is made subject to any Defeasance or Condition or not, then if the Action is in the Court of Queen's Bench the Order, and if the Action is in any other Court a true Copy of the Order, shall, together with an Affidavit of the Time of such Consent being given, and a Description of the Residence and Occupation of the Defendant, be filed with the Officer acting as Clerk of the Docquets and Judgments in the Court of Queen's Bench within *Twenty-one Days* after the making of the Order, otherwise the Order and any Judgment signed or entered up thereon, and any Execution issued or taken out on such Judgment, shall be void.

Application of 3 Geo. 4. c. 39. 6 & 7 Vict. c. 66. 1849, s. 137.

58. The Provisions of the said Act of the Third Year of King George the Fourth, and of the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign (Chapter Sixty-six), "to "enlarge the Provisions of an Act for preventing Frauds upon "Creditors by secret Warrants of Attorney to confess Judgment," for Liberty to file a Warrant of Attorney or Cognovit Actionem, or a Copy thereof, with the Clerk of the Docquets and Judgments, and for that Clerk to make certain Entries and Search in relation thereto, and for entering Satisfaction thereon, and for Fees for Search, and filing and taking Office Copies, shall extend and be applicable to every such Judge's Order.

Judgment Debtors.

A

B I L L

To abolish Arrest on Final Process in Civil Actions in England, except in certain Cases; and otherwise to amend the Law relating to Judgments, Decrees, and Orders.

(*Prepared and brought in by Mr. Attorney-General, Mr. Secretary Walpole, and Mr. Solicitor-General.*)

Ordered, by The House of Commons, *to be Printed,* 14 *March* 1867.

[Bill 75.]

Under 2 *oz.*

Judgment Debtors Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

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* The Short References are as follows :—
1849.—12 & 13 Vict. c. 106.—Bankrupt Law Consolidation.
1859.—Debtor and Creditor Bill, H.L. (As amended on Report.) 11th March 1859.
1861.—24 & 25 Vict. c. 134.—Bankruptcy and Insolvency.
1866.—Bankruptcy Law Amendment Bill, H.C. (As amended in Committee.) 30th July 1866.

Clause.		Provisions of Acts and Bills.
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31.	Provision for Counties Palatine.	
	Discharge of existing Prisoners.	7 & 8 Vict. c. 96. s. 58.
32.	Discharge of Persons in Custody at Commencement of Act.	
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40.	Judgment Debtor Summons on Judgment at Law.	1861, ss. 76–85, 90.
41.	Judgment Debtor Summons on Decree in Equity, Order in Lunacy, &c.	1866, §§ 119–126.
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56.	Costs.	
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57.	Goods, &c. taken in Execution to be sold by Auction.	1861, s. 74.
58.	Application of Proceeds of Sale in Execution of Trader's Property.	1861, s. 73. 1866, § 241; and see § 101.
	Warrants of Attorney, Cognovits, and Orders for Judgment.	
59.	Filing of Warrant of Attorney and Cognovit Actionem.	1849, s. 136.
60.	Filing of Judge's Order to enter up Judgment.	1849, s. 137.
61.	Application of 3 Geo. 4. c. 39., 6 & 7 Vict. c. 66.	1849, s. 137.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Abolish Arrest on Final Process in Civil Actions in England, except in certain Cases; and otherwise to amend the Law relating to Judgments, Decrees, and Orders.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Judgment Debtors Act, 1867. Short Title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. Except as in this Act expressly otherwise provided, this Act shall take effect from and immediately after the Thirty-first Day of December One thousand eight hundred and sixty-seven (which Time is in this Act referred to as the Commencement of this Act). Commencement.

4. Words have the same Meaning in this Act as in The Bankruptcy Act, 1867; and with respect to Computation of Time, this Act shall be construed as that Act is directed to be construed. Interpretation.

Arrest on Final Process.

1859, §§ 1–27. 1866, §§ 91–94. Arrest in Execution restrained.

5. From and after the Commencement of this Act no Person shall be arrested on Final Process in a Civil Action brought in a Superior Court of Law at Westminster before or after the Commencement of this Act, except in the Cases and Manner in this Act provided; and from and after the same Time no Person shall be charged in Execution in such an Action, except where, if not in Custody, he might under this Act be arrested on Final Process therein.

Present Power of Arrest unaffected in certain Cases.

6. The Power of Arrest on Final Process in such a Civil Action existing by Law at the Commencement of this Act shall remain unaffected in the following Cases:

I.—Where, before or after the Commencement of this Act, Judgment is recovered for a Sum exceeding Twenty Pounds (exclusive of Costs) as Damages in an Action for Libel, Slander, Assault, Battery, Seduction, Breach of Promise of Marriage, malicious Arrest, malicious Prosecution, malicious Trespass, malicious Injury, or malicious filing or Prosecution of a Petition for Adjudication of Bankruptcy:

II.—Where, after the Commencement of this Act, in an Action for the Recovery of a Debt or Money Demand Judgment is recovered for a Sum exceeding Twenty Pounds (exclusive of Costs), and it is certified, either at the Trial by the presiding Judge, or after the Trial by a Judge of a Superior Court of Law, either—

(1.) That the Debt or Liability in respect of which Judgment is recovered was contracted or incurred by the Defendant by or by reason of Fraud or false Pretence or Breach of Trust; or—

(2.) That the Defendant had obtained Forbearance of the Debt or Liability by Fraud or false Pretence; or—

(3.) That the Defendant had put the Plaintiff to unnecessary Expense or Delay by vexatious or frivolous Defence to or Proceedings in or relating to the Action:

III.—Where in the Court in which Judgment is recovered there is filed, after the Commencement of this Act, by or on behalf of a Person who, if this Act had not been passed, would have been entitled to sue out against a Debtor a Writ of Capias ad satisfaciendum an Affidavit of the Deponent's Belief that the Debtor is about to depart out of England unless he is forthwith arrested.

7. Provided

7. Provided, as to the thirdly-mentioned Case, as follows: Proceedings in the Third of these Cases.

(1.) A Writ of Capias shall be issued within Seven Days from the filing of the Affidavit, and be executed within Fourteen Days from the Day of its Date (which shall be the Day of its Issue), inclusive:

(2.) The Person arrested may at any Time after Arrest apply to a Judge of a Superior Court of Law for an Order or Rule on the other Party to show Cause why he (the Person arrested) should not be discharged from Custody, and the Judge either may discharge the Order or Rule (if granted), or may make it absolute, with or without requiring Bail or imposing Terms, or may make such other Order as seems just:

(3.) The Order of a Judge may be varied or discharged by the Court in which the Judgment is recovered:

(4.) Subject to General Orders, the Judge or Court may make such Order with respect to the Costs, Charges, and Expenses of any Party, and the Mode of recovering them, as seems just.

8. Nothing in this Act shall affect the Rights of the Crown in respect of Arrest in Execution. Saving for Crown.

Temporary Arrest on Warrant.

9. From and after the Commencement of this Act a Warrant for the Arrest of a Debtor who, if this Act had not been passed, would have been liable to arrest on a Writ of Capias ad satisfaciendum, shall, unless there appears good Reason to the contrary, be issued, on the Application of the Person who would have been entitled to sue out such Writ, by a Commissioner of the Court of Bankruptcy for a Country District, a County Court Judge, the Judge of a local Court of Record having Jurisdiction in Actions for the Recovery of Sums of Twenty Pounds or upwards, the Recorder of a City, Borough, or Town Corporate, a Police or Stipendiary Magistrate, or Two Justices of the Peace for the County or Place where Application is made (except a Judge, Recorder, Magistrate, or Justices acting in Middlesex or Surrey), on Proof on Oath of the Deponent's Belief that the Debtor is about to depart out of England unless he is forthwith arrested. When Warrant may issue.

10. The Warrant shall be auxiliary only to the Process by Writ of Capias, and shall be wholly void and of no effect for the Protection of the Person on whose Behalf it issues, unless he also sues Nature of Warrant.

out and proceeds on a Writ of Capias in manner in this Act provided.

Indorsement.

11. The Warrant shall be indorsed with the Amount of the Debt and Costs.

Authority to arrest.

12. The Officer to whom the Warrant is directed may arrest the Debtor in any Part of England at any Time within Seven Days from the Day of the Date of the Warrant (which shall be the Day of its Issue) inclusive, and may detain him.

Execution.

13. The Officer shall indorse on the Warrant a Certificate of the Place and Time where it is executed, and shall at the Time of the Arrest deliver to the Person arrested a Copy of the Warrant.

Responsibility of Officer.

14. The Officer shall be subject to the Jurisdiction of the Court in which the Judgment is recovered, and of any Judge of a Superior Court of Law, and shall be responsible to such Court and Judge, and also to the Person on whose Behalf the Warrant issues, for the due Execution thereof, in like Manner as Sheriffs are responsible for the due Execution of Writs of Capias, and shall be entitled to the like Protection as Sheriffs are entitled to in respect of the Execution of Writs of Capias.

Authority to Sheriff to detain.

15. The Warrant, with the Certificate by this Act required indorsed, being produced to the Sheriff or to the Keeper of the Gaol of the County or other Place where the Warrant issues, shall be a sufficient Authority to him to receive and detain the Debtor, and he shall not be liable for any Act or Default of the Officer.

Application for Discharge.

16. The Person arrested may at any Time after Arrest apply to the Commissioner, Judge, Recorder, Magistrate, or Justices by whom the Warrant was issued, or to a Judge of a Superior Court of Law, for an Order or Rule on the other Party to show Cause why he (the Person arrested) should not be discharged from Custody; and the Commissioner or other Authority aforesaid either may discharge the Order or Rule, or may make it absolute, with or without requiring Bail or imposing Terms, or may make such other Order as seems just.

Costs of Application for Discharge.

17. Subject to General Orders the Commissioner or other Authority aforesaid may make such Order with respect to the Costs, Charges, and Expenses of any Party, and the Mode of recovering them, as seems just.

Discharge on Payment.

18. A Person in Custody under a Warrant may pay the Amount of Debt and Costs indorsed to the Sheriff or other Person in whose Custody

Custody he is, and thereupon he shall be entitled to be discharged from Custody forthwith, and he shall be at liberty afterwards to tax the Costs indorsed as if he had been arrested on a Writ of Capias.

Writ of Capias to be sued out.

19. The Person on whose Behalf the Warrant issues shall in every Case, and notwithstanding that an Arrest has been effected under the Warrant, forthwith sue out a Writ of Capias from the proper Court.

Proceedings on Writ where Warrant executed.

20. If the Debtor is arrested under the Warrant, the Person suing out the Writ shall serve the Writ on the Debtor within Seven Days from the Day of the Date of the Warrant, inclusive, and thenceforth the Debtor shall be detained under the Writ only, and otherwise shall be entitled to be discharged from Custody forthwith.

Proceedings where Warrant not executed.

21. If the Debtor is not arrested under the Warrant the Writ shall be subject to the same Rules with respect to the Time of its Execution, and other Things, as are by this Act provided respecting a Writ of Capias issued originally on Affidavit of Belief that the Debtor is about to depart out of England, and as if the Warrant had not issued.

Duration of Warrant.

22. In any Event the Force of the Warrant shall wholly cease at the End of Seven Days from the Day of its Date.

Allowance of Costs.

23. The Person on whose Behalf the Warrant issues shall be allowed as against the Debtor the Costs of and attending the Warrant, and an Arrest under it, on proof to the Court or proper Officer (but not otherwise) that he had good Reason to believe that he would probably fail in arresting the Debtor if he proceeded by Writ of Capias in the first instance.

Arrest in general.

Discharge from Custody on Payment, &c.

24. A Person in Custody under a Writ of Capias issued under this Act shall be discharged from Custody under the Writ at any Time on Satisfaction of the Judgment Debt and Costs, and on the proper Fees and Charges, if any, being paid, or, if he does not satisfy the Judgment Debt and Costs, shall be discharged from Custody under the Writ at the End of Six Months from the Day of his Arrest, inclusive of that Day, on the proper Fees and Charges, if any, being paid.

Arrest not to be Satisfaction of Debt.

25. An Arrest on Final Process made after the Commencement of this Act shall not be a Satisfaction of the Debt, and shall not

not affect the Creditor's Rights or Remedies for recovering the Debt by Execution on or Proceedings against the Debtor's Property, or deprive the Creditor of the Benefit of any Charge or Security on any Property; but no Person shall be liable to be arrested more than once under the same Judgment, except in case of Escape or Rescue, or Discharge on the Ground of temporary Privilege or of Irregularity in the Process, or in case of Discharge having been obtained by Fraud.

Extension of Powers of Absconding Debtors Arrest Act to Recorders, &c. 14 & 15 Vict. c. 52.

26. From and after the Commencement of this Act the Provisions of The Absconding Debtors Arrest Act, 1851, relating to a Commissioner of the Court of Bankruptcy, or County Court Judge, shall extend to the Judge of a local Court of Record having Jurisdiction in Actions for the Recovery of Sums of Twenty Pounds or upwards, the Recorder of a City, Borough, or Town Corporate, a Stipendiary Magistrate, and any Two Justices of the Peace for the County or Place where the Application for a Warrant under that Act is made (except a Judge, Recorder, Magistrate, or Justices acting in Middlesex or Surrey).

Procedure.

Before whom Affidavits may be sworn.

27. An Affidavit to be used under any of the foregoing Provisions of this Act may in any Case be sworn before any Person authorized to take Affidavits in a Superior Court of Law, or before the Commissioner or other Authority before whom the Affidavit is to be used.

Penalty for false Affidavit.

28. If any Person wilfully makes any false Statement in an Affidavit under any of the foregoing Provisions of this Act he shall be deemed guilty of Perjury.

Judges to direct Form of Writs and certain Warrants.

29. The Judges of the Superior Courts of Law, or any Two or more of them, may from Time to Time after the passing of this Act, by General Orders, make Regulations respecting the Form of a Writ of Capias to be issued under any of the foregoing Provisions of this Act, and of a Writ of Arrest on final Process, and of a Warrant to be issued by a Judge of a local Court of Record, Recorder, Magistrate, or Justices under this Act, and respecting the Person to whom any such Writ or Warrant is to be directed, and the Mode of its Execution, and the Fees and Costs to be payable in respect of it, and the Recovery thereof.

Other Warrants to be regulated by General Orders.

30. The Form of a Warrant to be issued by a Commissioner of the Court of Bankruptcy, or a County Court Judge, under this Act, and the Procedure thereon, and the Fees and Costs payable in respect

respect thereof, and the Mode of recovering them, shall be regulated by General Orders to be made from Time to Time after the passing of this Act by the Authority empowered to make General Orders for the Court of Bankruptcy and the County Courts respectively.

Counties Palatine.

Provision for Counties Palatine.

31. Such of the foregoing Provisions of this Act as relate to Judgments of the Superior Courts, and to those Courts or a Judge of One of them, shall extend and apply to Judgments of the Court of Common Pleas of the County Palatine of Lancaster, and to that Court within its Jurisdiction, or a Judge thereof, being also a Judge of One of the Superior Courts of Law at Westminster, and to Judgments of the Court of Pleas of the County Palatine of Durham, and to that Court within its Jurisdiction, or a Justice thereof, being also a Judge of One of the Superior Courts; and the Powers by this Act given to the Judges of the Superior Courts, or Two or more of them, to frame and give Directions concerning Writs, shall be exercised, with respect to the said Courts of the Counties Palatine, by the respective Judges of those Courts, being also Judges of the Superior Courts, or by any Two of them.

Discharge of existing Prisoners on Final Process.

7 & 8 Vict. c. 96. s. 58.

Discharge of Persons in Custody at Commencement of Act.

32. Where any Person is at the Commencement of this Act in Prison or Custody under a Writ of Capias ad satisfaciendum, he may at any Time after the Commencement of this Act make Application to a Judge of a Superior Court of Law for his Discharge from Custody, and on such Application he shall be entitled to such Discharge (without Payment of Fees) by Order of the Judge, as follows:

(1.) If he was arrested or is detained in a Case in which he could not be arrested on Final Process after the Commencement of this Act, he shall be entitled to such Discharge forthwith on the proper Fees and Charges, if any, being paid:

(2.) If he was arrested or is detained in a Case in which he might be arrested on Final Process after the Commencement of this Act, he shall be entitled to such Discharge at the Expiration of Six Months from the Day of his Arrest inclusive of that Day, on the proper Fees and Charges, if any, being paid.

Subsequent Arrest in case of Fraud, &c.

33. If any such Discharge is obtained unduly or fraudulently, the Person discharged shall, on the same being shown to the Satisfaction of a Judge of a Superior Court of Law, be liable to be, by Order of such Judge, arrested and remanded to his former Custody,

but he shall be entitled to his Discharge out of Custody at the Expiration of Six Months from his being so again arrested.

Protection of Sheriff, &c.

34. Any Sheriff, Gaoler, or other Person shall not be liable as for the Escape of any Person in respect of his Enlargement during the Time for which he is at large in consequence of such undue or fraudulent Discharge.

Discharge at End of Six Months.

35. Any Person in Prison or Custody at the Commencement of this Act under a Writ of Capias ad satisfaciendum, if not discharged before the Expiration of Six Months from the Commencement of this Act, shall be discharged from Custody under the Writ at the Expiration of that Period, on the proper Fees and Charges, if any, being paid.

Arrest not Satisfaction in such Cases.

36. Where any Person in Prison or Custody at the Commencement of this Act is discharged under or by virtue of this Act, his Arrest shall not be deemed to have been a Satisfaction of the Debt, and shall not affect the Creditor's Rights or Remedies for recovering the Debt by Execution on or Proceedings against the Debtor's Property, or deprive the Creditor of the Benefit of any Charge or Security on any Property.

Arrest on Attachment and for Contempt.

Restriction on Attachment, and Process of Contempt.

37. From and after the Commencement of this Act, Attachment to enforce Payment of Money, Costs, or Fees shall not be issued from any Court of Law or Equity, or from any other Court, or in Lunacy, without a special Order of the Court from which the Attachment issues, or of a Judge thereof, or of the Lord Chancellor, or Lords Justices of the Court of Appeal in Chancery, in Lunacy; nor shall any Person be arrested or imprisoned under any Process of Contempt issued from any Court to enforce Payment of Money, Costs, or Fees without a special Order of the Court from which the Process issues; and no Person shall be imprisoned under any such Attachment or Process for a longer Period than Six Months.

Discharge at End of Six Months.

38. Any Person in Prison or Custody at the Commencement of this Act under any such Attachment or Process of Contempt, if not discharged before the Expiration of Six Months from the Commencement of this Act, shall be discharged from Custody under the Attachment or Process at the Expiration of that Period, on the proper Fees and Charges, if any, being paid.

Summons under Small Debts Act.

Extension of Small Debts Act. 8 & 9 Vict. c. 127.

39. The Act of the Session of the Eighth and Ninth Years of Her Majesty's Reign (Chapter One hundred and twenty-seven), "for

" for the better securing the Payment of Small Debts," shall with respect to Judgments and Orders obtained after the Commencement of this Act be read and have effect as if the Words Fifty Pounds were substituted in Section One thereof for the Words Twenty Pounds.

Judgment Debtor Summons.

1859, §§ 28–41, 47–50. 1861, ss. 76–85, 90. 1866, §§ 119–126.

Judgment Debtor Summons on Judgment at Law.

40. Where any Person having recovered Judgment against another in a Court of Record is entitled to sue out Execution on the Judgment in respect of a Sum exceeding Fifty Pounds (exclusive of Costs) the Judgment Creditor may sue out against the Judgment Debtor, if a Trader at the End of One Week, and if not a Trader at the End of One Month, from the signing of Judgment, whether the Debtor is in Custody or not, a Summons (to be called a Judgment Debtor Summons) requiring him to appear at a Time and Place therein specified, and be examined respecting his Ability to satisfy the Debt.

Judgment Debtor Summons on Decree in Equity, Order in Lunacy, &c.

41. If any Person directed by a Decree or Order of a Court of Equity, or other Court, or an Order in Bankruptcy or in Lunacy, to pay any Money exceeding Fifty Pounds (which Person is comprised in the Term Debtor in this Act) disobeys the same, having been duly served therewith, and the Person entitled to receive or interested in enforcing Payment of the Money (which Person is comprised in the Term Creditor in this Act) obtains a peremptory Order of the competent Jurisdiction fixing a Day for Payment, and the Debtor fails, if a Trader for Fourteen Days, and if not a Trader for One Month, after Service on him of the peremptory Order, or after the Day fixed by the peremptory Order for Payment (whichever Period last expires), to pay or tender, or to secure or compound for to the Satisfaction of the Creditor, the Money directed to be paid, the Creditor may at the End of that Period of Fourteen Days or One Month sue out against the Debtor a Summons (to be called a Judgment Debtor Summons) requiring him to appear at a Time and Place therein specified, and be examined respecting his Ability to satisfy the Demand.

Issue and Return of Summons.

42. A Judgment Debtor Summons may issue out of any Court having Jurisdiction in Bankruptcy, but shall be made returnable as follows, in the Discretion of the Court out of which it issues :

Where at the issuing of the Summons the Debtor is in England, then in any Court having Jurisdiction in Bankruptcy at the Place where the Debtor usually lives or at the issuing of the Summons happens to be :

Where at the issuing of the Summons the Debtor is not in England, then in the Court of Bankruptcy in London.

 43. Where

Service of Summons in England.

43. Where the Debtor is in England the Summons shall be served personally, unless in any Case the Court issuing it thinks fit to direct that Service in some other Manner shall be good Service.

Service where Debtor in Custody.

44. Where the Debtor is in Custody, a Duplicate of the Summons shall be delivered to the Sheriff or other Person in whose Custody he is, who shall bring him up according to the Summons.

Service out of England.

45. Where the Debtor is not in England, the Court, on Evidence satisfying it what Service will be effectual to give the Debtor Knowledge of the Summons, may order Service to be made by such Means and in such Manner as it thinks fit.

If no Service, Notice in Gazette, &c.

46. If Service of the Summons is not effected, and the Court out of which it issues is satisfied that the Debtor is keeping out of the Way to avoid Service thereof or of other Process, it may order that a Notice or Notices be inserted in the London Gazette, and in a Newspaper or Newspapers published or usually circulated at the Place where is the Debtor's usual or last known Place of Abode or Business in England, requiring him to appear at a Time and Place therein specified, such Time being not less than Fourteen Days after Publication of the first of such Gazette Notices.

Procedure on Appearance of Debtor.

47. On the Appearance of the Debtor he may be examined on Oath or otherwise by or on behalf of the Summoning Creditor and by the Court respecting his Ability to satisfy the Debt or Demand and for the Discovery of Property applicable in that Behalf, and shall produce on Oath or otherwise such Books and Documents in his Possession or Power relating to Property applicable or alleged to be applicable to the Satisfaction of the Debt or Demand as the Court directs, and shall sign his Examination.

Adjournment and Security.

48. The Court may, if it thinks fit, adjourn the Hearing of the Summons from Time to Time, and require from the Debtor such Security for his Appearance at the adjourned Hearing as the Court thinks fit.

Commitment of Debtor on Refusal to be sworn, &c.

49. If the Debtor refuses (when required by the Court) to be sworn, or refuses to answer any lawful Question put by the Court, or does not fully answer to the Satisfaction of the Court any such Question, or refuses to sign his Examination when required by the Court, or does not produce all Books and Documents which he is required by the Court to produce, or fails to give such Security for his Appearance at an adjourned Hearing as the Court requires, the Court may, if it thinks fit, by Warrant commit him to such Prison

Prison as the Court appoints, there to remain, without Bail, until he submits himself to the Court, and does the thing which he so refuses or fails to do.

Contents of Warrant.

50. The Warrant of Commitment need not set forth or specify any Part of the Examination of the Debtor, but shall refer to the Examination as remaining on the File of Proceedings, and shall specify the Date thereof.

Question to be specified.

51. Where the Debtor is committed for refusing to answer or not fully answering a Question, that Question shall be specified in his Examination.

Delivery of Copy of Examination.

52. A Copy of the Examination shall be delivered personally to the Debtor within Forty-eight Hours after his actual Lodgment in Prison, and in default thereof he shall be discharged from Custody, either by the Court by which he is committed, or by any Court or Judge before whom he is brought by Habeas corpus, with such Costs (if any) as the Court or Judge thinks fit.

Discharge on Habeas corpus.

53. On a Writ of Habeas corpus sued out by the Debtor for his Discharge on any Ground he shall not be discharged by reason only of Informality, but if the Court or Judge before whom he is brought, on Inspection and Consideration of his whole Examination, is of Opinion that his answering is satisfactory, the Court or Judge may order his Discharge.

Concealment on Examination Misdemeanour.

54. If the Debtor does not on his Examination make a full and true Discovery of Property applicable to the Satisfaction of the Debt or Demand, or does not produce all Books and Documents which he is required by the Court to produce, he shall be deemed guilty of a Misdemeanour, and shall be liable, at the Discretion of the Court before which he is convicted on Indictment, to be punished by a Fine not exceeding Fifty Pounds, or by Imprisonment for any Term not exceeding One Year, with or without Hard Labour, and shall be liable on Summary Conviction to a Penalty not exceeding Twenty Pounds, or to Imprisonment for any Term not exceeding Six Months, with or without Hard Labour.

On every Prosecution for such a Misdemeanour a Certificate of the Court before which the Debtor was examined, certifying the Proceedings, and to the effect that the Debtor has not made such Discovery or Production as aforesaid (specifying the Particulars of the Offence), shall be Evidence of everything therein stated, and Proof of the contrary shall lie on the Accused.

Judgment Debtor keeping out

55. If any Person after Notice of a Judgment, Decree, or Order for a Sum exceeding Fifty Pounds (exclusive of Costs) recovered

of Way of Summons, Misdemeanour.

or made against him, with Intent to avoid Service of a Judgment Debtor Summons, or otherwise to defeat or delay the Creditor in obtaining Satisfaction of the Debt or Demand, or his Creditors generally, departs or remains absent from his usual Place of Abode or Business, or otherwise keeps out of the Way of Legal Process, or conceals himself, he shall be deemed guilty of a Misdemeanour, and shall be liable, at the Discretion of the Court before which he is convicted, to Punishment by Imprisonment for any Term not exceeding One Year, with or without Hard Labour.

Costs.

56. The Court may make such Order respecting the Costs or the Charges and Expenses of any Person in relation to a Judgment Debtor Summons and the Mode of recovering them as to the Court seems just.

Sale in Execution.

Goods, &c. taken in Execution to be sold by Auction. 1861, s. 74.

57. Where Personal Property is sold under an Execution on a Judgment recovered in an Action or Suit brought for Recovery of a Debt, Money Demand, or Damages exceeding Fifty Pounds the same shall, unless the Court in which Judgment is recovered otherwise directs, be sold by the Sheriff or other Officer making the Levy by Public Auction, and not by Bill of Sale or Private Contract, and such Sale shall be publicly advertised by the Sheriff or other Officer on and during Three Days next preceding the Day of Sale.

Application of Proceeds of Sale in Execution of Trader's Property. 1861, s. 73. 1866, § 241; and see § 101.

58. If Execution on a Judgment, Decree, or Order against a Trader is levied by Seizure of his Personal Property, or of any Part thereof, before a Petition for Adjudication of Bankruptcy against him is filed, the Sheriff or other Officer making the Levy shall, notwithstanding the subsequent Filing of such a Petition, proceed with the Execution; and if the Debtor is adjudged Bankrupt within Fourteen Days from the Day of the Completion of the Sale, and Notice of the Adjudication is served on the Sheriff or other Officer within that Period of Fourteen Days, the Sheriff or other Officer shall pay the Proceeds of the Sale to the Trustee in Bankruptcy, after deducting the Costs of the Action or Suit in which the Judgment, Decree, or Order is obtained, and of the Execution and Sale; but otherwise the Sheriff or other Officer shall, at the End of that Period of Fourteen Days, pay the Proceeds of the Sale, or so much thereof as ought to be paid, to the Execution Creditor, for his own Benefit, who shall be entitled thereto, notwithstanding the Act of Bankruptcy constituted by the Seisure and Sale.

The Sheriff or other Officer making the Levy is hereby discharged from Liability by reason of anything done by him in Execution or intended Execution or pursuance of this Section.

Warrants

Warrants of Attorney, Cognovits, and Orders for Judgment.

Filing of Warrant of Attorney and Cognovit Actionem. 1849, s. 136.

59. Where in a personal Action a Warrant of Attorney to confess Judgment or a Cognovit Actionem is given, and the same, or a true Copy thereof, is not filed with the Officer acting as Clerk of the Docquets and Judgments in the Court of Queen's Bench within Twenty-one Days next after the Execution thereof as required by the Act of the Third Year of the Reign of King George the Fourth (Chapter Thirty-nine), "for preventing Frauds upon "Creditors by secret Warrants of Attorney to confess Judgment," the same shall be deemed fraudulent and shall be void; and if any such Warrant of Attorney or Cognovit Actionem so filed was given subject to any Defeasance or Condition, such Defeasance or Condition shall be written on the same Paper or Parchment with the Warrant or Cognovit before the filing thereof, otherwise the Warrant or Cognovit shall be void.

3 Geo. 4. c. 39.

Filing of Judge's Order to enter up Judgment. 1849, s. 137.

60. Where a Judge's Order made by Consent is given by a Defendant in a personal Action whereby the Plaintiff is authorized forthwith or at any future Time to sign or enter up Judgment, or to issue or take out Execution, whether such Order is made subject to any Defeasance or Condition or not, then if the Action is in the Court of Queen's Bench the Order, and if the Action is in any other Court a true Copy of the Order, shall, together with an Affidavit of the Time of such Consent being given, and a Description of the Residence and Occupation of the Defendant, be filed with the Officer acting as Clerk of the Docquets and Judgments in the Court of Queen's Bench within Twenty-one Days after the making of the Order, otherwise the Order and any Judgment signed or entered up thereon, and any Execution issued or taken out on such Judgment, shall be void.

Application of 3 Geo. 4. c. 39; 6 & 7 Vict. c. 66. 1849, s. 137.

61. The Provisions of the said Act of the Third Year of King George the Fourth, and of the Act of the Session of the Sixth and Seventh Years of Her Majesty's Reign (Chapter Sixty-six), "to "enlarge the Provisions of an Act for preventing Frauds upon "Creditors by secret Warrants of Attorney to confess Judgment," for Liberty to file a Warrant of Attorney or Cognovit Actionem, or a Copy thereof, with the Clerk of the Docquets and Judgments, and for that Clerk to make certain Entries and Search in relation thereto, and for entering Satisfaction thereon, and for Fees for Search, and filing and taking Office Copies, shall extend and be applicable to every such Judge's Order.

Judgment Debtors.

A

BILL

[AS AMENDED IN COMMITTEE]

To abolish Arrest on Final Process in Civil Actions in England, except in certain Cases; and otherwise to amend the Law relating to Judgments, Decrees, and Orders.

(*Prepared and brought in by Mr. Attorney-General, Mr. Secretary Walpole, and Mr. Solicitor-General.*)

Ordered, by The House of Commons, *to be Printed*, 3 *May* 1867.

[Bill 132.]

Under 2 *oz.*

A

B I L L

TO

Remove Disqualifications of Justices of the Peace in certain Cases.

Preamble.

IN order that Justices of the Peace may act in the Execution of Acts in some Cases in which they now are incapable of so acting, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "Justices of the Peace Act, 1867."

Justices not incapable of acting in execution of Acts in Cases specified.

2. A Justice of the Peace shall not be incapable of acting in all respects as a Justice in the Execution of an Act to be put in execution by a Municipal Corporation, or a Local Board of Health, or Improvement Commissioners, or Trustees, or any other Local Authority, by reason only of—

(a.) His being a Member of the Local Authority for putting the Act in execution:

(b.) His being as One of several Ratepayers, or as One of any other Class of Persons liable in common with the others to contribute to or to be benefited by any Fund which is in whole or in part raiseable or applicable under the Act.

[Bill 245.]

Justices of the Peace Disqualification Removal.

A

B I L L

To remove Disqualifications of Justices of the Peace in certain Cases.

(*Prepared and brought in by Colonel Wilson Patten and The Marquis of Hartington.*)

Ordered, by The House of Commons, *to be Printed,* 10 *July* 1867.

[Bill 245.]

Under 1 *oz.*

A

BILL

TO

Amend "The Labouring Classes Dwellings Acts, 1866."

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as "The Labouring Classes Dwelling Houses Act, 1867."

Defining Meaning of certain Terms in 29 Vict. cc. 28. and 44.

2. In the Fourth Section of "The Labouring Classes Dwelling Houses Act, 1866," the Words "Land or Dwellings for the Purposes of which the Advance is made," and in the Twelfth Section of "The Labouring Classes Lodging Houses and Dwellings Act (Ireland), 1866," the Words "Lands, Buildings, or Premises for the "Purpose of which such Advance shall be made," shall respectively be construed to include any Land, Buildings, or Premises held together with and for the same Estate and Interest as the Lands, Buildings, or Premises upon which the Money advanced is to be expended under the Provisions of the said Acts respectively.

3. Not-

Extending 29 Vict. c. 28. to Scotland.

3. Notwithstanding the Fifty-third Section of "The Labouring Classes Lodging Houses Act, 1851," all the Provisions of "The Labouring Classes Dwelling Houses Act, 1866," so far as they are applicable to Scotland, shall be deemed and construed to extend and apply to Scotland.

Labouring Classes Dwellings Acts (1866) Amendment.

A

B I L L

To amend "The Labouring Classes Dwellings Acts, 1866."

(*Prepared and brought in by Mr. Hunt and Mr. Secretary Walpole.*)

Ordered, by The House of Commons, *to be Printed*, 9 *April* 1867.

[Bill 118.]

Under 1 *oz.*

A

B I L L

TO

Enable Contracts to be made between Landlord and Tenant for the Improvement of Land in Ireland.

WHEREAS it is expedient that Provision be made to facilitate the making of Contracts between Landlord and Tenant for the Improvement of Landed Property in Ireland: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Land Contracts Act (Ireland), 1867." Short Title.

2. This Act shall apply to Ireland only. Application of Act.

3. This Act shall commence and take effect from and after the *Fourth Day of November One thousand eight hundred and sixty-seven.* Commencement of Act.

Interpretation of Terms.

4. In this Act and in the Schedules annexed thereto,—

"Clerk of the Peace."

The Term "Clerk of the Peace" means the Clerk of the Peace for the Time being of the County where the greater Part of the Lands are situate in respect of which the Contract is made under this Act, and such Term shall also include any Deputy of the Clerk of the Peace for the Time being:

"Landlord."

The Word "Landlord" means the Person, whether Male or Female, entitled as Owner in Fee to the Rents of the Land referred to in the Contract, or any Person entitled to receive the Rents thereof for a sufficient Number of Years to bind himself and Successors for the Period mentioned in the Contract; and if any such Person is a Minor or of unsound Mind, or a Married Woman, the Word means the Guardian, Committee, Trustee, or Husband of such Person, as the Case may be:

"Tenant."

The Word "Tenant" means the Person occupying or about to occupy the Land from Year to Year, or at Will, and who shall have entered into the Contract, or, in the event of his Death, his or her Personal Representative for the Time being:

"Land."

The Word "Land" means Land let or to be let for Agricultural Purposes, and all or any Part of the Farm and Farmhouse, Buildings, Messuages, and Tenements erected on such Land at the Period of the Execution of the Contract under this Act:

"Improvement."

The Word "Improvement" means any Improvement of the Land or Buildings or any Part thereof respectively referred to and specified in the Contract:

"Acre."

The Word "Acre" means Statute Acre.

Landlord and Tenant of Land in Ireland may enter into written Contracts for Improvement of Lands.

5. On and after the *Commencement* of this Act, and subject to the Conditions and Regulations herein-after contained, it shall be lawful for any Owner of Land in Ireland, either by himself, or by Power of Attorney to his Agent or Receiver, to enter into a written Contract with any Tenant holding or desirous of holding Land for Agricultural Purposes for the Outlay and Expenditure in Improvements by the Tenant on any Part of such Land of any Sum or Sums of Money specified in such Contract: Provided always, that no such Contract shall be held or be deemed to be a Lease or an Agreement for a Lease.

What Contract shall specify to be done.

6. The Contract shall in all Cases specify the Nature of the intended Improvements, the Sum to be expended in making the same, a Description of the Land in or on which it is proposed such Improvements shall be made, and the Time of the Completion of the same; and it shall in all Cases be stated in such Contract that the Landlord agrees, in consideration of the Outlay thereon, that the

the Tenant shall occupy the Land referred to therein during the Period of Tenure specified in such Contract without any Increase of the Rent, and if at an increased Rent, such increased Rent shall be specified in the Contract.

Form of Contract.

7. The Contract may be partly in Print and partly in Writing, and shall be in the Form in Schedule (A.) to this Act annexed, or as near thereto as the Circumstances of each Case will admit; *and every such Contract, when completed, shall be on a Form bearing a Stamp of One Shilling; and printed Copies of the said Form, and of the Form mentioned in Schedule (B.) to this Act annexed, shall be printed, both with and without Stamps, and shall be issued from the Office of the Commissioners of Inland Revenue to the several Distributors of Stamps in Ireland, under such Regulations as the Commissioners shall from Time to Time make for the Sale of the same by the several Sub-Distributors of Stamps, or by any other Persons, who shall not demand or receive any greater Sum than One Penny for each Form if unstamped, and Thirteenpence for each Form if stamped.*

Referee to be appointed by Landlord and Tenant before Execution of Contract.

8. Previously to the Execution of the Contract, a Referee, whose Name and Address shall be specified in the Contract, shall be appointed by the Landlord and Tenant, and the Referee shall declare in the Contract that he is willing to undertake the Duty of certifying to the best of his Ability to the Efficiency of the proposed Improvements, when the same shall have been completed, and to the fit and proper Outlay of the Money expended thereon, and that he will accept the Sum specified in the Contract for his Trouble and Expenses in undertaking the Duty of Referee.

How Contract to be executed.

9. Every Contract shall be executed in Triplicate (One for each Party) by the Landlord, Tenant, and Referee respectively, and shall be signed in the Presence of any Justice of the Peace or Judge, who shall attest the Signatures of the Party or Parties appearing before him for the Purpose to each several Document; and no Contract shall have Effect until all the Parties thereto have respectively executed the said Three Copies; and the Copy of the Contract bearing the Title of "Tenant's Original Contract" shall be considered in Law and Equity to be the Original Contract: Provided always, that if any such Contract shall have been signed by the Agent or Receiver of the Landlord under and by virtue of a Power of Attorney, such Power of Attorney shall be annexed to the Tenant's Original Contract, and shall be filed with the said Original Contract in manner herein-after mentioned, *and every such Power of Attorney shall bear a Stamp of Two Shillings and Sixpence only.*

 10. The

Original Contract to be deposited at Office of Clerk of the Peace of the County in which the principal Part of the Land referred to therein is situate.

10. The Tenant shall, within *Fourteen Days* after the Execution of the said Original Contract, leave or cause the same to be left at the Office of the Clerk of the Peace of the County in which the principal Part of the Land is situate mentioned in such Contract, with the Sum of Money stated in such Contract to be payable to the Referee; and such Original Contract shall be filed as a Record of the Office; and the Clerk of the Peace shall give a Receipt for the Sum so deposited, and shall make or cause to be made Two Copies of such Original Contract, both of which shall be certified by him to be correct, one to be entered in a Register to be kept in his Office for the Purpose, and the other to be given, if required, to the Party, or some Person duly authorized by him to receive the same, who deposited the Original Contract; and a Fee of *Two Shillings* shall be payable by the Tenant, or the Party depositing the said Original Contract on his Behalf, for the Registration of the same, and for making the said Copies thereof.

Registry of Original Contract to be open for Inspection, and Copies thereof may be had on Payment of One Shilling.

11. The Book in which the Original Contract shall be entered shall be called "The Land Contract Registry," and the same shall be open to the Inspection, at all reasonable Times, of any Person, on the Payment of *One Shilling;* and it shall be lawful for any Person to require a Copy thereof to be made, on the Payment of *One Shilling;* and every such Copy shall be certified as correct by the Clerk of the Peace in whose Office such Original Contract shall have been registered.

On Completion of Works under Contract, Notice thereof to be given to Landlord, and Referee to examine and certify same.

12. On and after the Completion of the Improvements mentioned in the Original Contract, and before the Expiration of the Time specified for the Completion of the same, the Tenant shall serve or cause to be served a Notice under his Hand on the Landlord personally, or, in the Absence of the Landlord from his last known Place of Abode (if any) in the County where such Land is situate, or if he have no Place of Residence in such County, on the Agent or Receiver to whom the Tenant had paid the last Gale of the Rent of such Land, and also a like Notice to the Referee in Person, and in such Notices respectively a Day and Hour shall be appointed, not earlier than *One Week* after the Service of such Notices respectively, for the Inspection of the said Improvements; and the Referee shall and he is hereby required, if not prevented by Illness or other just Cause, to attend and inspect the said Improvements, and if satisfied of the Efficiency of the same, and of the proper Expenditure thereon of the Sum named in the Contract, he shall grant to the Tenant a Certificate under his Hand of the due Completion of the Contract: Provided always, that if in the Opinion of the Referee the Works have not been efficiently constructed, he shall deliver

deliver to the Tenant in Person a Statement in Writing of his Objections thereto, and shall specify therein the Works required in his Opinion to complete the same in an efficient Manner; and on such Referee again receiving from the Tenant Notice in the Manner aforesaid that the additional Works so required have been completed, the Referee shall again attend and examine the same, and grant a Certificate that such Works have been completed in accordance with the Requirements specified in such Statement and Contract: Provided always, that in the event of the Death, Incapacity, or Refusal to act of any such Referee, or if any Dispute shall arise as to the Completion of the Works so required as last mentioned, it shall be lawful for the Landlord and Tenant each to appoint a Referee to attend and examine the same, and before the Examination of the said Works, the Referees shall appoint an Umpire, and if such Referees cannot agree, such Umpire shall decide the Question in dispute; and the Decision of such Referees or Umpire, as the Case may be, shall be final; and the Referees or Umpire, as the Case may be, shall sign the said Certificate in lieu of the Referee mentioned in the Contract, and the Amount deposited with the Clerk of the Peace to be paid to the Referee named in the Contract shall be paid by the Clerk of the Peace to such Referees or Umpire, on the Deposit with him of the said Certificate.

Certificate of Completion of Works and Registration of same.

13. Every such Certificate shall be in the Form in Schedule (B.) to this Act annexed, or as near thereto as the Circumstances of each Case will admit, and shall be delivered, with the Referee's Copy of the Original Contract annexed thereto, by the Referee or Referees or Umpire, as the Case may be, or with a certified Copy of the Original Contract, within *Seven* Days after the final Inspection of the Works, to the Clerk of the Peace, who shall witness the Signature of the Party or Parties depositing the same, on Payment of *One Shilling*, and such Clerk of the Peace shall thereupon pay to the Party or Parties executing the said Certificate before him the Amount deposited with the Original Contract; and the Receipt of such Party or Parties shall be filed with the Certificate, and shall be deemed to be a sufficient Discharge of all Liability incurred by the said Clerk of the Peace in respect of the Amount so deposited with the Original Contract.

Registry of Certificates to be open for Inspection.

14. Every such Certificate and Copy of the Original Contract shall be registered as a Record of the Office, and the Clerk of the Peace shall enter or cause the same to be entered in a Book to be called "The Registry of Land Contract Certificates," and the same shall be open to the Inspection at all reasonable Times of any Person, on the Payment of *One Shilling;* and it shall be lawful for any

any Person to require a Copy thereof to be made on the Payment of *One Shilling*, and every such Copy shall be certified to be correct by the Clerk of the Peace in whose Office such Certificate shall have been registered.

Every Original Contract and Certificate to be Evidence.

15. Every Original Contract and Certificate deposited as aforesaid in the Office of the Clerk of the Peace shall be taken and be deemed to be a Public Record, and shall be received in Evidence as such in all Courts of Law and Equity.

Landlord not to eject Tenant until Completion of Improvements mentioned in Contract, and subsequently, if Tenant ejected, Landlord to pay *Three Fourths* of Amount expended thereon by Tenant, unless special Agreement to the contrary be made in Original Contract.

16. It shall not be lawful for the Landlord, after the Registration of the Original Contract, to eject the Tenant until the Period mentioned in such Contract for the Completion of the Improvements shall have expired; and in the event of the Tenant being ejected after the Completion of the said Improvements, and before the Expiration of the Period agreed on in the Original Contract for the Occupancy by him of the Lands mentioned therein, it shall be lawful for the Tenant to demand and receive from the Landlord *Three Fourths* of the Sum stated in the Certificate to have been expended by the Tenant on the Improvements mentioned in such Contract, unless a special Agreement shall have been made and set forth in such Original Contract in respect of the Amount to be so paid to the Tenant by the Landlord in that Event.

Actions, if brought for the Recovery of Money expended on Improvements, to be by Civil Bill Process only.

17. Any Action at Law for the Recovery of any Money by the Tenant from the Landlord in respect of such Improvements shall be by Civil Bill Process only.

Nothing herein to affect Usages.

18. Nothing in this Act shall be deemed or construed to affect or prejudice any Usage or Custom established or existing in any Part of Ireland relating to outgoing or incoming Tenants.

SCHE-

SCHEDULE (A.) to which the foregoing Act refers.

LAND CONTRACTS ACT (IRELAND), 1867.

Form of Contract No. ( ).

(1.) Tenant's Original Contract.
(2.) Landlord's Contract.
(3.) Referee's Copy of Contract.

Note.—Each Copy must bear One of above Headings, and the attesting Party must initial the Erasures of the other Headings before the Execution of each Document.

Stamp 1*s.*

Contract between of in the County of , Landlord of Lands herein-after mentioned, on behalf of himself, his Executors, Administrators, and Assigns, and of in the County of , Tenant, on behalf of himself, his Executors and Administrators.

Description of Lands and Buildings to be improved; viz.

Nature of Improvements, as follows:

Total Amount agreed to be expended thereon, £

Date of Completion of Improvements, 186 .

The said Tenant agrees to expend the said Sum of £ in the said Improvements specified, and within the Period herein mentioned; and the said Landlord agrees, if such Improvements are completed and certified in the Manner directed by the above-named Act, to permit the said Tenant, subject to the Provisions of the said Act, to occupy the said Lands and Buildings for Years from this Date, together with the following Lands (if any) held by him; namely,

Special Agreements.

(*Here insert special Agreement* (*if any*) *under Section* 16 *of above-mentioned Act.*)

The undersigned Referee agrees to act as Referee between the said Landlord and Tenant, and to inspect the said Improvements when completed, and grant his Certificate, in the Manner required by the above-mentioned Act, that such Improvements have been completed to his Satisfaction, and will not demand or receive for the same more than the Sum of £ , to be deposited by the said Tenant with the Original Contract at the Office of the Clerk of the Peace for the County of .

Name. Address.

_____ Landlord.

_____ Tenant.

_____ Referee.

Signed by Landlord before me,
Signed by Tenant before me,
Signed by Referee before me,

Justice of the Peace (*or* Judge, *as the Case may be*).

SCHE-

SCHEDULE (B.) to which the foregoing Act refers.

LAND CONTRACTS ACT (IRELAND), 1867.

Form of Certificate of Completion of Works.

Contract No. ( ), between *A.B.*, Landlord, and *C.D.*, Tenant.

Stamp 1*s.*

The undersigned Referee (*or* Referees, *or* Umpire, *as the Case may be*), acting under the Powers of the above-mentioned Act, and in accordance with the Provisions of an Original Contract, No. ( ), (a Copy of which is hereunto annexed,) hereby certifies that the Improvements mentioned therein have been completed to his Satisfaction for the Sum of £ .

Land Contracts (Ireland).

A

BILL

To enable Contracts to be made between Landlord and Tenant for the Improvement of Land in Ireland.

(*Prepared and brought in by Mr. Agar-Ellis and Colonel French.*)

Ordered, by The House of Commons, *to be Printed*, 19 *February* 1867.

[Bill 32.]

Under 2 oz.

A

B I L L

TO

Confirm a Provisional Order under "The Land Drainage Act, 1861."

WHEREAS the Inclosure Commissioners for England and Wales have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any Validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: 24 & 25 Vict. c. 133.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. That the Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament of the like Force and Effect as if the Provisions of the same had been enacted in the Body of this Act. Provisional Order in Schedule confirmed.

2. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1867." Short Title.

SCHEDULE to which this Act refers.

In the Matter of North Moor Improvement, situate in the Parishes of North Petherton, Bridgwater, Lyng, and Durston, in the County of Somerset.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by "The Land Drainage Act, 1861," do, by this Provisional Order under our seal, constitute the lands which are delineated on a Map authenticated under our hands and seal as the Map referred to in this Provisional Order, and intituled the North Moor Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a Separate Drainage District under the said Act.

And We do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:—

That the Drainage Board for the said District shall consist of twelve Members.

That the following persons shall be the Members of the first Drainage Board:—The Lord Portman, of Bryanston, Dorset; Richard King Meade King, of Walford, Somerset, esquire; James Collings, of North Petherton, Somerset, yeoman; Jonathan Colmer Colthurst, of North Petherton, yeoman; Thomas Burston, of North Petherton, yeoman; Benjamin Turner, of North Petherton, yeoman; Henry Hall Foster, of North Petherton, yeoman; George Perratt Hodges, of North Petherton, yeoman; Thomas Mullins, of Goathurst, esquire; James Turner, of Lyng, yeoman; Alfred Lovibond, of Middlezoy, esquire; and Charles Boon, of Lyng, yeoman.

That the first meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the District, and posted on the church doors of the above-mentioned parishes at least fourteen days before the day of meeting.

That the qualification of any subsequent Member of the said Board shall be that he shall be the proprietor of not less than twenty acres of land within the area of the said District; or, secondly, the heir apparent of the proprietor of an estate of not less than twenty acres in extent within the area of the said District; or, thirdly, occupying tenant, yearly or otherwise, of not less than thirty acres within the area of the said District; or, fourthly, the agent of a proprietor of an estate of not less than twenty acres of land within the area of the said District, such agent acting under a written appointment.

That the Members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the Electors for Members of the Drainage Board shall be the persons who have, during the year immediately preceding such Election, been rated to

to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the time of such Election.

In witness whereof, We have hereunto set our Official Seal, this Fourteenth day of March One thousand eight hundred and sixty-seven.

L.S.

Land Drainage Supplemental.

A

BILL

To confirm a Provisional Order under "The Land Drainage Act, 1861."

(*Prepared and brought in by Mr. Secretary Walpole and Mr. Sclater-Booth.*)

Ordered, by The House of Commons, *to be Printed,* 12 *April* 1867.

[Bill 123.]

Under 1 *oz.*

A

B I L L

TO

Facilitate the Improvement and Leasing of Land by limited Owners in Ireland.

WHEREAS it is expedient to give to limited Owners of Land in Ireland increased Facilities to improve and lease their Estates: Preamble.

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as "The Land Improvement and Leasing Act (Ireland), 1867." Short Title.

2. This Act shall apply to Ireland only. Extent of Act.

3. This Act shall come into operation on the *First Day of January One thousand eight hundred and sixty-eight.* Commencement of Act.

4. The Provisions of "The Landed Property (Ireland) Improvement Act, 1860," (save in so far as they are hereby amended or inconsistent herewith) shall be deemed to be incorporated with this Act. "The Landed Property (Ireland) Improvement Act, 1860," to be incorporated with this Act.

PART I.

Landlord's Improvements.

Definition of "Improvements."

5. The Expression "Improvements," used in the First Part of "The Landed Property (Ireland) Improvement Act, 1860," shall, in addition to the Works therein specified, comprise the following Works as Landlord's Improvements under said Act and this Act; that is to say,

The building of a Mansion House and Offices upon the Lands of a limited Owner.

Definition of "limited Owner," "settled Estate," and "Successor" in this Part of this Act.

6. The Terms "limited Owner," "settled Estate," and "Successor," shall have in this Part of this Act the same Meanings respectively as in the "Preliminary" and Part I. of the said "Landed Property (Ireland) Improvement Act, 1860."

Previous Sanction of Landed Estates Court not necessary when Successor does not object.

7. The previous Sanction of a Judge of the Landed Estates Court shall not be required for Landlord's Improvements in any Case in which the Successor, being of full Age and capable of giving Assent, shall expressly assent in Writing to such Improvements, or shall not dissent to the proposed Improvements by some Writing under his Hand, given to the limited Owner, or in any Case in which, if he so dissents, he does not, within One Month after the Receipt of a Notice, as hereafter mentioned, from the limited Owner of the Improvements proposed to be executed, apply for an Injunction to the Landed Estates Court against any Charge being created in respect of the Improvements in favour of the limited Owner.

Limited Owner to be Creditor on the Estate for Expenditure on Landlord's Improvements.

8. Every limited Owner who lays out Money in making Landlord's Improvements shall be entitled in respect of such Expenditure to be a Creditor on the Estate, and to be repaid such Expenditure, according to the Provisions and subject to the Limitations of this Act.

Limited Owner to give Three Months Notice to next Successor.

9. Every limited Owner who intends to lay out Money on such Improvements shall, Three Months at least before he begins to execute the same, give Notice in Writing to the Successor, if within Great Britain and Ireland, and if such Successor is not within Great Britain and Ireland then in such Manner and to such Person as a Judge of the Landed Estates Court shall direct, of such his Intention, specifying in such Notice the Kind of Improvements intended, and the Parts of the Estate upon which the Improvements are intended to be made, and the estimated Expense thereof, and shall lodge a Copy of such Notice in the Landed Estates Court.

10. Every

Accounts of Expenditure to be lodged annually in landed Estates Court.

10. Every limited Owner who lays out Money in making such Improvements as aforesaid, with the Intent of becoming a Creditor on the Estate, shall annually, within Four Months after the *Thirty-first Day of December* of each Year, lodge in the Landed Estates Court an Account of the Money expended by him in such Improvements during the Twelve Months next before such *Thirty-first Day of December*, subscribed by him or his known Agent, with proper Vouchers for the same, and verified by the Oath of himself or his known Agent before any Justice of the Peace, or Commissioner, or Master Extraordinary for taking Affidavits.

Landed Estates Court to record Accounts, and Record to be public.

11. The Landed Estates Court shall record, in a Book to be kept for the Purpose, the Accounts and Vouchers and Copies of the Notices, and shall keep the Book open for all Persons desirous to see the same, and shall give certified Copies of or Extracts of all Accounts, Vouchers, and Copies of Notice recorded, upon Payment of such Fees as shall be from Time to Time fixed by the Landed Estates Court.

Limited Owner to have Annuity of 7*l.* 2*s.* for each 100*l.* of Expenditure recorded.

12. Every limited Owner expending Money in such Improvements as aforesaid, and complying with the Provisions of this Act, shall be entitled to an Annuity charged upon the settled Estates of *Seven Pounds Two Shillings* for every One hundred Pounds of such Expenditure as appears by the Accounts so lodged and verified as aforesaid to have been expended on such Improvements, not exceeding the estimated Expense, as specified in the herein-before required Notice, and so in proportion for any less Sum, to commence from the *First Day of January* next succeeding the Lodgment of the Accounts, and to be payable for a Term of *Twenty-five* Years on each Anniversary of said Day to the limited Owner, his Executors, Administrators, or Assigns.

If Persons succeeding object to Charge, Landed Estates Court to deal with Objection.

13. Any Person succeeding to the Estates subject to such Charge, who objects to the Amount of such Charge ascertained as aforesaid, may, within Six Months after he succeeds, lodge an Objection to the Amount of such Charge in the Landed Estates Court, and thereupon the said Court shall have Power to deal with such Objection, and by Order to reduce or modify the Charge, and deal with the Costs of the Proceeding, as it thinks proper.

Registry of Charges.

14. Any limited Owner may register his Charge by lodging from Time to Time with the proper Officer of the Office for the Registry of Deeds in Ireland, or of the Office for the Record of Titles, as the Case may be, an Affidavit stating the total Amount of the Expenditure as appearing in the Accounts lodged under this Act, and

specifying the settled Estate affected by such Charge by Denomination, Barony and County.

Registry of Landed Estates Court Order.

15. If the Landed Estates Court should make an Order at the Instance of the Successor, varying or modifying the Amount of the Annuity so charged as aforesaid, an attested Copy of such Order shall be lodged with the proper Officer of the Office for the Registry of Deeds in Ireland, or of the Office for the Record of Titles, as the Case may be.

Officers of Registry and Record Offices to register Charges, &c.

16. The proper Officer of the Office for the Registry of Deeds in Ireland, and in the Office for the Record of Titles, shall register the said Affidavits and Orders in the same Manner as Deeds are registered in the respective Offices, subject to the Payment of all such Fees as may be lawfully demanded.

When Successor objects, Landed Estates Court may sanction or disallow Improvements.

17. When the Successor, served with such Notice as aforesaid, makes such Application to the Landed Estates Court as hereinbefore mentioned, the said Court may make such Inquiries as it thinks proper as to the Circumstances of the Estate, and the Improvements intended to be made therein, and may sanction or disallow in whole or in part the proposed Improvements and fix the Amount of Expenditure to be allowed for or in respect of the same, and shall make an Order specifying the Improvements which it sanctions, and the Amount to be expended thereon.

Landed Estates Court may make charging Order.

18. The said Court, on being satisfied that such Order has been complied with, may make an Order charging the Estate with an Annuity of *Seven Pounds Two Shillings* for every One hundred Pounds of the Expenditure made under such Order, and so in proportion for any less Sum, commencing from the Date of the Order, and to be payable for *Twenty-five Years* to the limited Owner, his Executors, Administrators, and Assigns.

Landed Estates may order Advertisements and Notices.

19. The Landed Estates Court, in all Cases where it has Jurisdiction, may cause such Advertisements to be given and Notices to be served as it thinks proper, and shall have full Discretion as to the Costs of all Proceedings before it.

Successor to have Right of Inspection of Improvements.

20. The Successor during the Progress of any Landlord's Improvements by a limited Owner under this Act shall have full Power by himself or by anybody authorized in Writing by him to inspect the same.

21. Every

21. Every Annuity created by this Act shall have Priority as of its Date, and before the Estate of the immediate Successor to the limited Owner, and before all Charges created in exercise of Powers of charging by such Successors, or otherwise, and before all subsequent Estates. Priority of Annuities.

PART II.

Leasing Powers.

22. Any limited Owner, as defined in the Twenty-fourth Section of the said Act of 1860, shall have Power, without the previous Sanction of the Chairman or Judge of the Landed Estates Court, to grant Agricultural Leases, Improvement Leases, and Building Leases (including under the Expression "Building Leases," "Repairing Leases,") for any Term of Years, absolute, or determinable at fixed Periods, subject to the following Restrictions: Power of limited Owner to lease.

1. No Improvement Lease or Building Lease under this Act, where the Rent reserved thereby shall exceed *Ten* Pounds per Annum, shall be made without the Service of Notice on the Successor as herein-after mentioned:

2. The Term of any Agricultural Lease shall not exceed *Thirty-one* Years, and of an Improvement Lease shall not exceed *Forty-one* Years, and of a Building Lease shall not exceed *Ninety-nine* Years; but when a Judge of the Landed Estates Court shall be satisfied that it is beneficial for the Inheritance to grant Building Leases for a longer Term he shall have Power to sanction a Building Lease for such longer Term as he shall direct:

3. Every Agricultural and Improvement Lease shall imply the following Covenants on the Part of the Lessee:

   (1.) To manage, till, and use the Lands demised in due and regular Course of good Husbandry, so that the same be not in anywise injured or deteriorated;

   (2.) Not to burn or permit to be burned any Part of the Soil or Surface of the Lands demised without the previous Consent in Writing of the Landlord;

   (3.) Not to assign or sub-let the whole or any Part thereof without the previous Consent in Writing of the Lessor, his Heirs or Assigns:

4. Every Improvement Lease shall contain a Covenant on the Part of the Lessee—

   To execute, at his own Expense, within a Time to be specified in such Lease, not being later than *Six Years* from

from the Date of such Lease, the Works defined to be Improvements under the Third Part of the said Act, which shall be specified in the Lease:

5. Every Lease, whether an Agricultural, Improvement, or Building Lease, shall take effect in Possession, or within One Year after the Execution thereof, and not in Reversion, and shall be made bonâ fide and without Fraud, and there shall be reserved thereby the best yearly Rent, to be incidental to the immediate Reversion, that can reasonably be gotten, without taking anything in the Nature of a Fine, Premium, or Foregift, save as herein-after excepted:

6. Every Lease, whether an Agricultural, Improvement, or Building Lease, shall imply a Covenant for the due Payment of the Rent reserved, and a Condition of Re-entry on Nonpayment thereof, and also a Condition of Re-entry on breach of the Covenant to assign or sub-let:

7. The Lessee or Lessees shall execute a Counterpart of every Lease; but the Execution of any Lease by the Lessor shall be deemed sufficient Evidence that a Counterpart of such Lease, as required by this Act, has been executed by the Lessee:

Provided, that in the Case of an Improvement Lease the best Rent shall be deemed to be the highest Rent that can reasonably be gotten, having regard to the Improvements covenanted to be made by the Lessee; and in the Case of such a Lease or of a Building Lease any smaller Rent than the Rent to be ultimately made payable may be reserved during all or any Part of the First *Six* Years of the Term granted by such Lease; provided such smaller Rent shall be equal to the then existing Tenement Valuation of the demised Premises.

Notice to be served on Successor.

23. Before the making of any Building Lease or Improvement Lease under this Act, where the annual Rent intended to be reserved thereby shall exceed *Ten* Pounds, the Lessor shall serve a Notice of his Intention to make such Lease, stating shortly the Terms and Purport thereof, on the Successor (as defined in the Ninth Section of the said "Landed Property (Ireland) Improvement Act, 1860,") who may, within One Month after the Receipt of such Notice, apply to the Landed Estates Court to restrain by its Order the making of such Lease; and on the Hearing of such Application the said Court may disapprove altogether, or may approve either with or without Modification, of the Lease proposed; but if the Court approve of the Lease it shall give its Sanction thereto

thereto by Order thereon, or in such other Manner as it thinks fit; and it may make such Order respecting the Costs of the Application as shall seem to it to be just.

Registration of Leases.

24. All Leases granted under this Act, where the Term shall exceed *Twenty-one* Years, shall be duly registered within *Twelve Months* after the Date in the Registry of Deeds Office in Dublin, and for which a Fee of *One Shilling and Sixpence* and no more shall be payable to said Office, and in default of such Registration shall not be binding upon the Successor.

PART III.

Miscellaneous.

Power for limited Owner to agree as to Tenant's Improvements.

25. A limited Owner, as defined in Section 24 of the said Act of 1860, may make an Agreement with a Tenant for the Execution by the Tenant of any of the "Tenant's Improvements" under the said Act of 1860, and for securing him Compensation therefor; and if such Compensation does not exceed the Limits of Compensation provided by the said Act, such Agreement, if bonâ fide made for the Purposes of the said Act, shall be binding upon those who succeed to the Estate of the limited Owner.

Proceedings of Successor in case of Dispute as to Compensation under Agreements.

26. Any Successor against whom a Claim is preferred under any such Agreement may apply to the Chairman of the County in which the Lands are situate to set aside such Agreement on account of its not having been bonâ fide made; and in case there shall be any Dispute as to whether such Agreement has been bonâ fide executed by the Tenant, or as to the Amount of Compensation which should be paid thereunder, the Claim for Compensation shall be determined in like Manner, as near as the Circumstances will allow, as a Claim to an absolute Order for an Annuity for Tenant's Improvements under said Act of 1860.

All Agreements to be recorded in the Office of the Clerk of the Peace within Six Months.

27. All such Agreements shall be recorded within *Six Months* after they are made in the Office of the Clerk of the Peace of the County in which the said Lands are situate, and shall in default of such Registration not be binding upon the Successor.

Land Improvement and Leasing (Ireland).

A

BILL

To facilitate the Improvement and Leasing of Land by limited Owners in Ireland.

(Prepared and brought in by Lord Naas and Mr. Solicitor General for Ireland.)

Ordered, by The House of Commons, *to be Printed,* 18 *February* 1867.

[Bill 30.]

Under 1 *oz.*

A

B I L L

TO

Facilitate the Improvement of Landed Property by extending the Powers of limited Owners of Land in Ireland.

WHEREAS it is expedient that an Act passed in the Parliament holden in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty, and intituled "The Landed Property (Ireland) Improvement Act, 1860," should be repealed, and that further and other Provision should be made for facilitating Improvements of Landed Property in Ireland: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act shall apply to Ireland only, and may be cited for all Purposes as "The Landed Property (Ireland) Improvement and Leasing Act, 1867." Extent and short Title of the Act.

2. In the Construction of this Act the following Words and Expressions shall have the Force and Meaning hereby assigned to them, Interpretation of Terms.

them, except where there is anything in the Subject or Context repugnant thereto:

The Word "Lord Chancellor" shall mean as well the Lord High Chancellor of Ireland as the Lord Keeper or Lords Commissioners of the Great Seal for the Time being:

The Word "Court" shall mean the Landed Estates Court, Ireland, or any Judge thereof; and the Word "Judge" shall mean either of the Judges of the said Court:

The Word "Chairman" shall mean the Chairman of the Quarter Sessions of the County where the Lands or any Part of the Lands in relation to which any Matter requiring the Cognizance of such Chairman arises may be situate:

The Expression "Clerk of the Peace" shall mean the Clerk of the Peace of the County where any Lands or any Part of the Lands in relation to which any Matter as aforesaid arises may be situate, and shall include any Deputy of any such Clerk of the Peace:

The Word "Settlement" shall include any Instrument under which any Land or Lease shall be, at Law or in Equity, so limited as to create partial or limited Estates or Interests:

The Expression "Settled Estate" shall include any Lands in Settlement, whether the same be held in Fee Simple, Fee-farm, or Fee-tail, or for Lives or Years renewable for ever, or for an Estate or Interest renewable for a Term of not less than Sixty Years, or for a Term of Years of which not less than Sixty are unexpired; and whether the same Settled Estate shall or shall not be for the Time being mortgaged, charged, or incumbered, if and whilst the Owner, or any Person in trust for him, shall be in the actual Possession or in the Receipt of the Rents and Profits thereof:

The Expression "limited Owner" shall mean any Person beneficially entitled, under any Settlement at Law or in Equity, for his own Life, or for any Term determinable with his Life, to the Possession or Receipt of the Rents and Profits of any Settled Estate:

The Expression "lineal Successor" shall mean such Persons, being Issue of the limited Owner, as shall be beneficially entitled under the Settlement to the Possession or the Receipt of the Rents and Profits of the Lands in Defeasance or on Determination of the Estate of the limited Owner; and if any such Person be an Infant, or a Person of an unsound Mind, or a married Woman who is not entitled for her separate Use, it shall include the Guardian, Committee, or Husband of such Person, as the Case may be:

The

The Expression "collateral Successor" shall mean such Person, not being Issue of the limited Owner, as shall be beneficially entitled under the Settlement to the Possession or Receipt of the Rents and Profits of the Land in Defeasance or on Determination of the Estates of the limited Owner and his lineal Successors:

The Expression "corporate Owner" shall mean any Body Corporate, any Corporation Sole, Ecclesiastical, or Lay, any Trustees for Charities, and any Commissioners or Trustees for Ecclesiastical, Collegiate, or other public Purposes, entitled at Law or in Equity to any Lands for an Estate in Fee Simple or Fee-farm, or for Lives or Years renewable for ever, or for an Estate or Interest renewable for a Term of not less than Sixty Years, or for a Term of Years of which not less than Sixty are unexpired.

PART I.

Landlords Improvements.

Landlords Improvements.

3. The Word "Improvements" as used in this Act shall comprise the following Works:

(1.) The main or thorough draining of Land:

(2.) The making of Roads or Fences:

(3.) The reclaiming and inclosing of Bog Land, and the reclaiming or inclosing of Waste Land:

(4.) The Execution of Works permanently providing for the Irrigation of Land:

(5.) The reclaiming of Land from tidal or other Waters:

(6.) The Protection of Land by Embankment from tidal or other Waters:

(7.) The Erection of Farm Buildings, or Houses for Labourers, Stewards, or other Persons employed in cultivating or superintending the Cultivation of Land:

(8.) The Renewal or Reconstruction of any pre-existing Works of the Character aforesaid, or such Alterations therein or Additions thereto, not being mere Repairs, as shall permanently increase their Value:

(9.) The building of a Mansion House or Offices, or the repairing or enlarging of a Mansion House or Offices:

(10.) The forming of Plantations of Oak, Ash, Elm, Beech, Fir, Alder, or other Timber Trees, when such Plantations are not intended for mere Ornament.

Three Months Notice of Improvement

4. Every limited Owner, not being under any of the Disabilities herein-after mentioned, who intends to lay out Money on such

to be given to Successor.

such Improvements in pursuance of this Act, shall, *Three Calendar Months* at least before he begins to execute the same, serve the first lineal Successor who is not under the like Disabilities, or, if there should be no such lineal Successor, the first collateral Successor who is not under the like Disabilities, with a written or printed Notice, in such Form as the Court may from Time to Time prescribe, and shall lodge a Copy of such Notice in the Court, and the Court shall thereupon serve a Copy of such Notice on the said lineal or collateral Successor.

Where Successor assents or does not apply for Injunction Order, Application to the Court not required.

5. The previous Sanction of the Court shall not be required for such Improvements as aforesaid in any Case in which such lineal or collateral Successor as aforesaid assents in Writing to the Execution of the same, or in which, if he withhold a written Assent, he does not, within *One Calendar Month* after the Receipt of the Notice from the limited Owner herein-before prescribed, apply to the Court for an Order by way of Injunction to restrain the limited Owner from the Execution of the same.

On Application, the Court may authorize Substitution of Service, or Service out of its Jurisdiction.

6. If the Place of Abode of such lineal or collateral Successor be not known, or be beyond the Seas, or if the lineal or collateral Successor be an Infant, or a Person of unsound Mind, or a married Woman who is not entitled for her separate Use, or if it be doubtful who falls within the Description of lineal or collateral Successor, or if for any Reason it be found difficult or impracticable to serve the Notice herein-before prescribed, it shall be lawful for the limited Owner to apply to the Court for Liberty to substitute Service, or to effect Service out of the Jurisdiction, or to dispense with Service altogether; and the Court, upon such Application, may make such Order as may appear just.

When limited Owner is under Disability, Application to be made to the Court.

7. If the limited Owner be an Infant, or a Person of unsound Mind, or a married Woman who is not entitled for her separate Use, it shall be lawful for the Guardian, Committee, or Husband, as the Case may be, of such limited Owner to serve the Notice herein-before prescribed, and after the Expiration of *One Calendar Month* from the Date of such Service to apply to the Court for its Sanction to the Improvements therein specified.

On Application, the Court may make Improvement or Injunction Order.

8. On every such Application, and on every Application for an Order by way of Injunction, as herein-before provided for, the Court shall make such Inquiries as it thinks proper as to the Circumstances of the Settled Estate, and the Improvements intended to be made thereon, and shall sanction or disallow the proposed Improvements in whole or in part, and shall fix the Amount of Expenditure to be allowed

allowed for or in respect of the same, and shall make an Order specifying the Improvements so sanctioned, and the Amount so allowed to be expended thereon; and the limited Owner, upon the making of such Order, may proceed to execute the Improvements therein sanctioned, at an Expense not exceeding the Amount therein specified.

The Successor to have Liberty to inspect the Execution of Improvements.

9. The lineal or collateral Successor, or the Person substituted for such lineal or collateral Successor by the Court, shall, during the Progress of such Improvements as aforesaid, have full Power, by himself or by any Person authorized by him in Writing, to inspect the same, and for that Purpose, at all reasonable Hours, to enter upon the Lands on which such Improvements are in process of Execution.

Accounts of Expenditure and final Statement to be lodged in Court.

10. Every limited Owner who lays out Money in making such Improvements as aforesaid shall, every *Six Months*, lodge in the Court an Account of the Money expended by him in such Improvements during the *Six Months* preceding, subscribed by him or his known Agent; and on the Completion of such Improvements shall lodge in the Court a compendious Statement, referring to such Accounts, of the whole Expenditure incurred in making such Improvements, verified in such Manner as the Court may direct.

The Court to keep a Record of Notices, Statements, and Accounts.

11. The Court shall retain the Notices, Statements, Accounts, and Vouchers required by this Act, and shall keep a Book or Books of Reference thereto, which may be inspected without Payment of any Fee by any Person interested, and shall give certified Copies of or Extracts from all Notices, Statements, Accounts, and Vouchers so retained, upon Payment of the Fees payable in respect of Copies of Documents in the Court.

Limited Owner to have Power to enter into Agreement with Tenant or Lessee for Execution of Improvements.

12. Any limited Owner may enter into an Agreement with any Tenant or Lessee for the Execution by such Tenant or Lessee of any such Improvements as are herein-before mentioned and for securing to such Tenant or Lessee Compensation for the same; and such Agreement if bonâ fide made shall be binding on the Successors of such limited Owner; and it shall not be necessary for any Purpose that such Agreement shall be stamped; and the Title of such Tenant or Lessee to the Compensation so agreed upon shall not be disputable, except upon the Ground that the Improvements agreed upon have not been executed.

Limited Owner paying Compensation, to be entitled

13. Any limited Owner who shall pay to his Tenant or Lessee such Compensation as aforesaid shall be entitled to obtain such Charging Order as is herein-after mentioned; or he may at his Option

to Annuity or to Fine upon a Lease.

Option make a Lease of the same Lands in manner herein-after provided; and if he make such Lease it shall not be invalid by reason of such Owner taking from the Tenant or succeeding Tenant as a Fine the Amount so paid for Compensation as aforesaid.

One Month's Notice of Intention to apply for Charging Order to be given to Successor.

14. Every limited Owner having expended Money in such Improvements or Compensation as aforesaid, and intending to apply for a Charging Order under the Provisions of this Act, as herein-after provided, shall serve the lineal or collateral Successor, or the Person substituted by the Court for such lineal or collateral Successor, with a Notice of such intended Application, in such Form as the Court may from Time to Time prescribe, and after the Expiration of *One Calendar Month* from the Date of such Notice may apply to the Court for such Charging Order.

On Application, the Court may make Charging Order, and charge the Lands with Annuity payable to limited Owner or his Nominee.

15. On every Application for a Charging Order the Court shall hear the lineal or collateral Successor, or the Person substituted for the lineal or collateral Successor, objecting that the Provisions of this Act have not been complied with, or that the Improvements have not been properly executed, or that the Money stated to have been expended has not actually been expended in such Improvements or Compensation; and if no Appearance is made on behalf of the lineal or collateral Successor, the Court may require Proof that the Provisions of the Act have been observed, and may direct Inquiries to be made as to the Execution of the Improvements and the Expenditure thereon, and may, if it think fit, disallow the whole or any Portion of the Expenditure; but if satisfied that the whole or any Portion of the Expenditure ought to be allowed, the Court shall make an Order specifying the Amount or Expenditure allowed, and charging the Lands on which the Improvements have been made, or such Portion thereof as it shall think fit, with an Annuity for every One hundred Pounds of such Expenditure, and in proportion for any lesser Sum, to commence from the Date of the Order, and to be payable on each Anniversary of such Date to the limited Owner or to any Person nominated by the limited Owner, their Executors, Administrators, or Assigns respectively, of the Amount and for the Terms following; that is to say, of the Amount of Seven Pounds Sixteen Shillings and Twopence for the Term of Twenty-one Years in respect of the Improvements numbered (1) in Section Three of this Act; of the Amount of Six Pounds Eight Shillings and Threepence for the Term of Thirty-one Years in respect of the Improvements numbered (2), (3), and (4); of the Amount of Five Pounds Fifteen Shillings and Eightpence for the Term of Forty-one Years in respect of the Improvements numbered (5), (6), (7), and (8); and of the Amount of Five Pounds

Five

Five Shillings and Fourpence for the Term of Sixty-one Years in respect of the Improvements numbered (9) and (10) in the said Section.

The Amount of Annuities to be charged not to exceed One Half the annual Value of the Lands, after Deduction of Rentcharges.

16. Provided always, and be it enacted, That the aggregate Amount of Annuities charged in respect of Improvements under this Act shall not, when taken together with any Rentcharges charged or to be charged on the Lands under the Provisions of the several Acts to facilitate Drainage or the Improvement of Landed Property in Ireland, exceed *One Half* Part of the annual Value at which the Lands are rated under the Laws for the Relief of the destitute Poor in Ireland; and it shall be the Duty of the Court, before making an Order charging an Annuity under this Act, to ascertain the Amount of Annuities, if any, theretofore charged on the Lands under this Act, and the Amount of any Rentcharges charged or to be charged on the said Lands under the said Acts, and to provide that this Limit is not exceeded, but no Order charging an Annuity under this Act shall be afterwards invalidated by reason of such Excess.

Charging Order may be made when the Act has been substantially complied with.

17. Provided also, and be it further enacted, That in Cases wherein it shall appear to the Court that the Provisions of this Act have not been literally complied with, it shall be lawful for the Court, in case it shall be of opinion that those Provisions have been substantially complied with, to make a Charging Order under this Act, subject to such Conditions as it may think proper to impose.

Assignees of bankrupt or insolvent Owner may obtain Charging Order.

18. If any limited Owner shall become a Bankrupt or Insolvent after he has obtained an Order sanctioning any Improvements, but before he has obtained an Order charging the Lands as is hereinbefore mentioned, his Assignees may complete the Improvements at the Expense of the Estate of such bankrupt or insolvent Owner, and thereupon the said Assignees shall be entitled to obtain such Charging Order as such Owner would have been entitled to, if he had not become bankrupt or insolvent: Provided always, that if such Assignees shall decline to complete the Improvements they shall not be entitled to claim any Compensation for the Monies already expended thereupon.

Successor may obtain Charging Order when limited Owner dies during Progress of Works.

19. If any limited Owner shall die after he has obtained an Order sanctioning any Improvements, but before such Improvements have been completed, it shall be lawful for the Successor, if he shall think fit, to complete the same, having first repaid to the personal Representatives of such limited Owner the Amount expended

expended by such limited Owner thereupon; and on the Completion of the same the Successor shall be entitled to obtain such Annuity and Charging Order as the limited Owner would in the like Case have been entitled to obtain; but if the Successor shall not think fit to complete such Improvements, or shall decline to repay the Amount expended as aforesaid, it shall be lawful for the personal Representatives of such limited Owner, if they shall think fit, to complete the same at the Expense of the Estate of such limited Owner, and upon the Completion of the same such personal Representatives shall be entitled to obtain such Annuity and Charging Order as aforesaid: Provided always, that if such personal Representatives shall decline to complete such Improvements they shall not be entitled to claim any Compensation for the Monies already expended thereupon.

Charging Order to be conclusive Evidence of Compliance with the Provisions of the Act.

20. Every Order made pursuant to this Act under the Seal of the Court charging an Annuity on any Lands shall be, both at Law and in Equity, conclusive Evidence that all Notices, Acts, and Proceedings by this Act directed with reference to the obtaining such Order or the making such Charge have been duly served, done, and taken, and that such Charge has been duly created, and is a valid Charge on the Lands declared in such Order to be subject thereto.

Annuity charged on Lands of Record to be recorded.

21. If the Lands on which such Annuity shall be charged as aforesaid shall be Lands recorded under the Record of Title Act (Ireland), 1865, the Recording Officer shall record such Annuity as a Charge pursuant to the last-mentioned Act, and shall, upon Request, deliver to the limited Owner a Certificate of Charge in manner thereby directed, and such Charge, when recorded, may be assigned, settled, dealt with, or affected as therein mentioned.

Annuity charged on Lands not of Record to be registered.

22. If the Lands on which such Annuity as aforesaid shall be charged shall not be Lands recorded as aforesaid, the Judge who has made a Charging Order under this Act shall execute a Duplicate thereof under the Seal of the Court, and the Person applying for such Order may cause such Duplicate to be registered in the Office for the Registry of Deeds in the City of Dublin, and the Registrar of the Registry Office, his assistant Deputies, and other Officers, shall be required to register the same in the same Manner as Memorials of Deeds are registered in the said Office, and to enter such Duplicate in the Books and Indexes of or relating to Memorials registered and kept in the said Office, subject to the Payment of such Fees as may be lawfully demanded.

23. Every

23. Every Annuity created by this Act shall have Priority as of the Date of its Record or Registration, as the Case may be, and before the Estate of any Successor to the Lands. Annuity to have Priority as of Date of Record or Registration;

24. Every Annuity created in pursuance of this Act shall be recoverable in the Manner in which Rentcharges in lieu of Tithes are recoverable in Ireland. and to be recoverable as Tithe-Rentcharge.

25. Provided always, and be it enacted, That no Arrears of any Annuity charged on Land in pursuance of this Act shall be recoverable against such Land after the Expiration of One Year from the Date at which the Sum in arrear first became due; and as between Parties having successive Interests in any Land so charged (but subject and without Prejudice to the foregoing Provisions restraining the Recovery of Arrears), it shall be the Duty of the Party for the Time being in possession or in receipt of the Rents and Profits of such Land to prevent such Arrears from arising, and if he make default in doing so, and if the Party next entitled in possession pay any Arrears caused by such Default, the Amount so paid shall be a Debt due to the Party who has paid the same from the Party by whose Default it became necessary to make such Payment. But no Arrears to be recoverable after the Expiration of One Year from the Date of falling due.

26. All Improvements in respect of which an Annuity is payable under this Part of this Act shall, during the Continuance of the Estate of the limited Owner, be maintained by him in a proper State of Repair, and any subsequent Owner of the Land charged with such Annuity may, by Action in the Superior Courts of Common Law, recover from the Representatives of such limited Owner any Damages sustained by reason of the Noncompliance of the limited Owner with the Provisions of this Section. Improvements to be maintained by limited Owner.

27. All Rights conferred on a limited Owner by this Act shall be deemed to be in addition to any other Rights, whether statutable or otherwise, which any such Owner may possess, and every such Owner may exercise such other Rights in the same Manner as if this Act had not been passed. Rights conferred by this Act to be in addition to existing Rights.

PART II.

Leasing Powers.

28. Any limited or corporate Owner shall have power to grant Agricultural Leases, Improvement Leases, Building Leases (including under the Term "Building Leases" Repairing Leases), for any Power to limited or corporate Owner to grant Leases.

any Term of Years, absolute or determinable at fixed Periods, subject to the following Restrictions:

Terms for which Leases may be granted.

(1.) No Mansion House or Demesne Lands shall be leased under this Act for a longer Period than the Life of the limited Owner and *Six Calendar Months* after his Decease, or for a longer Period than his Minority, if he be an Infant at the Time of the making of the Lease:

(2.) The Term of an Agricultural Lease shall not exceed *Thirty-one* Years, that of an Improvement Lease shall not exceed *Sixty-one* Years, that of a Building Lease shall not exceed *One hundred and fifty* Years:

Every Lease to take effect in possession, and to reserve the best Rent.

(3.) Every Lease shall take effect in possession, or within *One Year* after the Execution thereof, and there shall be reserved thereby the best yearly Rent, to be incidental to the immediate Reversion, that can reasonably be obtained, without taking anything in the Nature of a Fine, Premium, or Foregift: Provided always, that in the Case of an Improvement Lease, or of a Building Lease, the best Rent that can reasonably be obtained shall be estimated with reference to the Length of the Term granted by the Lessor, and the Improvements covenanted to be made by the Lessee; and that a Peppercorn Rent or any Rent smaller than the Rent to be ultimately made payable, may be reserved during all or any Part of the First *Five Years* of the Term granted by such Leases:

Covenants and Conditions to be contained or implied in every Lease.

(4.) Every Lease shall contain or imply the following Covenants and Conditions:

(*a*) A Covenant for the due Payment of the Rent reserved, and a Condition of Re-entry in case of the Nonpayment of the same for a Period of *Twenty-eight* Days after it becomes due:

(*b*) A Covenant against subdividing or subletting, without Consent of Lessor, except when there is an express Covenant that the Lands may be subdivided or sublet:

(*c*) A Covenant against voluntary or permissive Waste:

Lessee's Covenants in Agricultural Leases.

(5.) Every Agricultural Lease shall contain or imply the following Covenants on the Part of the Lessee, his Heirs, Executors, Administrators, and Assigns:

(*a*) To manage, till, and use the Lands demised in due and regular Course of good Husbandry:

(*b*) Not to burn or permit to be burned any Part of the Soil or Surface of the Lands demised, without the previous Consent in Writing of the Landlord:

(*c*) Not

(*c*) Not to assign without the Consent of the Lessor, to be signified by his Execution of the Deed of Assignment: Lessee's Covenants in Improvement Leases.

(6.) Every Improvement Lease shall contain a Covenant on the Part of the Lessee, his Heirs, Executors, Administrators, and Assigns,

To expend upon Works defined to be Improvements in the First Part of this Act, which shall be specified in the Lease, and within a Time which shall also be specified therein, a Sum equal to at the least to Five Times the Rent thereby reserved:

(7.) Every Building Lease shall contain a Covenant on the Part of the Lessee, his Heirs, Executors, Administrators, and Assigns, Lessee's Covenants in Building Leases.

To expend upon the Buildings which shall be specified in the Lease, and within a Time which shall also be specified therein, a Sum equal at the least to Twenty Times the Rent thereby reserved:

(8.) The Lessee shall execute a Counterpart of every Lease, but the Execution of any Lease by the Lessor shall be deemed sufficient Evidence that a Counterpart of such Lease, as required by this Act, has been executed by the Lessee. Lessee to execute a Counterpart of Lease.

29. If the limited Owner be an Infant, or a Person of unsound Mind, or a married Woman who is not entitled for her separate Use, it shall be lawful for the Guardian, Committee, or Husband, as the Case may be, of such limited Owner, to apply to the Landed Estates Court for Authority to exercise the Powers conferred on a limited Owner by this Act, and the Court shall have Power to grant such Application. If limited Owner under Disability, Application to be made to the Court.

30. Wherever it may be deemed desirable that any Lease to be made in pursuance of this Act should be made for a Term longer than is herein-before provided, it shall be lawful for the limited or corporate Owner to apply to the Landed Estates Court; and the Court, by its Order made on such Application, and upon Notice to such Person or Persons as it shall think fit, may authorize the granting of such longer Term as it shall think proper. Court on Application may authorize longer Terms.

31. Wherever any limited or corporate Owner shall desire to grant a Lease of any Water Power or Water Site, or any Quantity of Land for the Purpose of erecting or extending any Mill, Factory, Warehouse, or other Building for manufacturing or commercial Purposes, or wherever such Owner shall desire to grant a Lease for Manufacturing Leases to be made on Application to the Court.

the Purpose of working Mines or Quarries, it shall be lawful for such Owner to apply to the Court, and the Court, by its Order made on such Application, and upon Notice to such Person or Persons as it shall think fit, may authorize such Lease, with such Covenants and Conditions as it shall think proper, and for any Term of Years, or in perpetuity.

Court on Application may authorize Leases not authorized by the exact Terms of any Act or Settlement.

32. Where a Power to make Leases by virtue of this or any other Act of Parliament, or of any Settlement, shall, in any particular Case, be incapable of being exercised by reason of any Variation in the Circumstances necessary to bring the Case within the exact terms of the Act or Settlement, the Landed Estates Court may, by an Order on the Application of any Person interested in the Matter, and upon Notice to such Person or Persons as the Court shall think necessary, authorize the Donee of the Power contained in such Act or Settlement to make a Lease, notwithstanding any Variation which the Court shall consider not to involve a substantial Departure from the Intention of such Act or Settlement; and every Lease made in pursuance of any Order of the Court in that Behalf shall be as valid as if the Case had been within the exact Terms of the Act or Settlement.

Leases made in pursuance of this Act to be valid against all Persons whatsoever.

33. In the Absence of Fraud, every Lease granted in pursuance of this Act shall, so long as the Covenants and Conditions on the Lessee's Part are performed and observed, be valid against all Persons whatsoever; but the Rent therein reserved shall be subject to the Uses, Rights, and Liabilities to which the Lands comprised therein would have been subject had no such Lease been made: Provided always, that no Lease granted by an Owner who is himself a Lessee shall continue after the Expiration of the Term granted by such Owner's Lease, and that nothing herein contained shall be deemed to enable any such Owner to grant any Lease which by virtue of any Covenant or Agreement with his Lessor he is precluded from granting.

Limited or corporate Owners to have Power to accept Surrenders.

34. Any limited or corporate Owner shall have Power to accept the Surrender of any Lease, whether granted under this Act or not, when there shall not be more than *Five Years* of the Term created by such Lease remaining unexpired; and the Power to grant Leases conferred by this Act shall extend to the granting of new Leases of the whole or any Part of the Lands comprised in any surrendered Lease.

Limited or corporate Owners to

35. If there be any subsisting Lease, whether granted under this Act or not, which for any Reason it is inexpedient to surrender, the limited

limited or corporate Owner may enter into a Contract with the Lessee for the Execution by the Lessee of such Improvements as might be contracted for under an Improvement Lease made in pursuance of this Act, and in such Contract may covenant with the Lessee for the Continuance of his Tenancy after the Expiration of the subsisting Term, and such Contract, when reduced to Writing and signed by the Parties thereto, shall have the same Validity as an Improvement Lease granted in pursuance of this Act: Provided always, that the additional Term, which shall be specified in such Contract, shall not exceed the Term of *Sixty-one Years* from the Date of the Contract, and that the Rent to be reserved for such additional Term shall not be less than the full letting Value of the Lands at the same Date.

have Power to contract with Lessee without accepting Surrender of the Lease.

36. Provided also, and be it enacted, That every such Contract shall be recorded or registered in the Office for the Record of Title or in the Office for the Registry of Deeds in the City of Dublin, according as the Lands thereby affected are recorded under the Record of Title Act (Ireland), 1865, or not, and that for the Purposes of such Record or Registration such Contract shall be considered as a Charge or a Conveyance, as the Case may be.

Such Contract to be recorded or registered.

37. All Powers conferred on a limited or corporate Owner by this Act shall be deemed to be in addition to any other Powers, whether statutable or otherwise, which any such Owner may possess, and every such Owner may exercise such other Powers in the same Manner as if this Act had not been passed.

Powers conferred by this Act to be in addition to existing Powers.

PART III.

General Provisions.

38. No Tenant shall be liable to be evicted from his Tenement by reason of the non-registering or non-recording of any Lease made in pursuance of this Act, when the Term created by such Lease does not exceed *Thirty-one Years*.

Leases not exceeding Thirty-one Years not to be evicted for Non-registration.

39. It shall be incumbent on the Lessor to register or record every Lease granted in pursuance of this Act for a Term exceeding *Thirty-one Years;* and no Proceedings at Law or in Equity shall be maintained for the Recovery of any Rent reserved under any such Lease unless and until the same shall have been registered or recorded, as the Case may be.

No Proceedings for Recovery of Rent until Lease is registered.

 40. The

Lessor may register by Delivery of a Copy of Lease.

40. The Lessor shall be entitled, at his Option, to register any Lease granted under this Act, either by the Delivery of a Memorial thereof in the Manner heretofore usual, or by giving a Copy of said Lease to the Registrar of Deeds, accompanied with the same Fee which would be requisite in the Case of the Delivery of a Memorial; and the Registrar of Deeds shall thereupon cause the proper Entries to be made for the Purpose of registering the said Lease.

Judges of Landed Estates Court to frame a Scale of Costs.

41. Subject to the Provisions contained in the Sixty-fifth Section of "The Record of Title Act (Ireland), 1865," the Judges of the Landed Estates Court may frame a Scale of Costs to be paid to Solicitors or Certificated Conveyancers, in respect of any Services which may be rendered by them in the Preparation, Execution, registering, or recording of any Lease or Contract made pursuant to this Act.

Buildings erected by Tenant shall belong to and may be disposed of by him.

42. Subject to the Provisions herein-after contained every Building and Chattel Personal erected on or affixed to the Freehold by a Tenant at his sole Expense, and which shall not have been so erected or affixed in pursuance of any Obligation in that Behalf, shall belong to, and may be removed or otherwise disposed of by, the Tenant or his Executors or Administrators, during the Tenancy, or within *Six Calendar Months* after the Determination thereof; and during such Period the Tenant, his Executors, Administrators, or Assigns may at all reasonable Times enter upon the Premises for the Purposes aforesaid: Provided always, that the Landlord shall be entitled to reasonable Compensation for any unnecessary Damage occasioned to the Freehold by such Entry or Removal.

Timber Trees planted by Tenant may be cut and disposed of.

43. Subject to the Provisions herein-after contained, all Timber Trees of Oak, Ash, Elm, Beech, Fir, Alder, or other Trees which, after the *Commencement of this Act*, may be planted by any Tenant, and which shall not have been so planted in pursuance of any Obligation in that Behalf, shall belong to, and may be cut, sold, and disposed of by the Tenant, or his Executors or Administrators, during the Tenancy, or within *Twelve Calendar Months* after the Determination thereof; and during such Period the Tenant, his Executors, Administrators, or Assigns, may at all reasonable Times enter upon the Premises for the Purposes aforesaid: Provided always, that the Landlord shall be entitled to reasonable Compensation for any unnecessary Damage occasioned by such Entry.

44. Provided

Things affixed to the Freehold, and Trees planted, by the Tenant to be registered with the Clerk of the Peace.

44. Provided always, and be it enacted, That every Tenant claiming to be entitled to any Building or Chattel Personal erected on or affixed to the Freehold, or to any Timber Trees planted by him as aforesaid, shall, within *One Year* after such erecting, affixing, or planting, as the Case may be, lodge with the Clerk of the Peace a Declaration in the Form to be specified as herein-after provided, and the Clerk of the Peace shall retain the same, and shall keep a Book or Books of Reference thereto, which may be inspected without the Payment of any Fee by any Person claiming to be interested therein, and shall give certified Copies of or Extracts from the same, upon Payment of the Fees payable in that Behalf, as herein-after provided; and upon every such Lodgment the Clerk of the Peace shall transmit to the Landlord a Notice of such Lodgment and a Copy of such Declaration: Provided always, that nothing herein-after contained shall in any Manner limit or affect the Right of any Person to remove any Trade or other Fixtures, or any other Thing which at present he may by Law remove.

The Landlord to be served with Notice of such Registration.

Declaration, if not disputed, to be Evidence.

45. If the Landlord, so served with Notice as aforesaid, shall not dispute such Declaration, or institute and prosecute such Proceedings as are herein-after provided for the impugning of the same, such Declaration shall be sufficient Evidence of the Ownership of the Tenant in the Buildings, Chattels Personal, or Timber Trees specified therein.

The Landlord, if he dispute the same, to bring the Matter in dispute before the Chairman.

46. It shall be lawful for the Landlord within *Three Calendar Months* of such Notice and Transmission, as aforesaid, to bring all Matters which he may dispute in relation to such Declaration before the Chairman, and the Chairman, without a Jury, shall hear and adjudicate upon all such Matters, and the Chairman's Adjudication thereon shall be final, and his Decree shall be conclusive Evidence of the Rights of Property therein declared, and a Copy of such Decree, signed and certified by the Chairman, shall be lodged with the Clerk of the Peace, who shall retain the same and record it in manner herein-before provided, with respect to the Declaration.

Limited Owner may purchase Tenant's Rights in Fixtures and Timber Trees.

47. Every limited Owner shall be at liberty to contract with any Tenant who may be entitled to remove such Buildings and Personal Chattels, or who may be entitled to cut, sell, and dispose of such Timber Trees, as aforesaid, for the Purchase of all the Tenant's Rights therein; and every limited Owner who shall pay such Tenant the Price agreed on for the Purchase of such Rights shall,

in respect of such Payment, be entitled to all the Privileges conferred by this Act upon a limited Owner who shall pay to his Tenant or Lessee any Compensation for Improvements as hereinbefore provided.

PART IV.

Jurisdiction.

Judges of Landed Estates Court to make General Orders.

48. The Judges of the Landed Estates Court shall from Time to Time, as to all Matters within their Jurisdiction under this Act, make General Orders as to the Forms of Notices and other Documents, and as to the Payment of Fees, and as to the Conduct of Proceedings, and as to the Costs payable in respect of such Proceedings, and as to the Taxation of such Costs: Provided always, that such General Orders shall not be of any Validity until they have been sanctioned by the Lord Chancellor of Ireland.

Costs and Expenses.

49. In every Proceeding which may come before it under this Act the Court shall have full Power and Discretion as to the giving or withholding of Costs and Expenses, and as to the Persons by whom and the Funds out of which the same shall in the first instance or ultimately be paid, repaid, and borne, and may apportion the same among such Parties as it shall see fit.

Equitable Jurisdiction.

50. In relation to all Matters within its Jurisdiction under this Act the Landed Estates Court shall have all the Powers, Authority, and Jurisdiction of a Court of Equity.

Appeal.

51. Every Order or Decision of the Judge made under this Act shall be subject to direct Appeal to the Court of Appeal in Chancery in Ireland and to no other, and such Appeal shall be subject to the Regulations to which other Appeals from the Orders and Decisions of the Judge are subject.

Chairmen of Quarter Sessions to make General Rules.

52. The Chairmen of the Quarter Sessions of the several Counties in Ireland, or any Fifteen of them, shall from Time to Time, as to all Matters within their Jurisdiction under this Act, prepare Forms of Notices and other Documents, and fix a Scale of Fees to be taken by Clerks of the Peace in respect of Business done by them under this Act, and make Regulations as to the Payment of such Fees, and as to the Conduct of Proceedings under this Act before such Chairmen, and as to the Costs payable in respect of such Proceedings, and as to the Taxation of such Costs: Provided always, that such Forms, Scales, and Regulations shall not be of

any

any Validity until they shall have been sanctioned by the Chief Justice of the Queen's Bench in Ireland, the Chief Justice of the Common Pleas in Ireland, the Chief Baron of the Exchequer in Ireland, or by Two of the said Judges.

Notices, &c., if recorded, not to be afterwards objected to.

53. It shall be the Duty of the Clerk of the Peace to see that all Notices, Declarations, and other Documents lodged with him under this Act shall be in the proper Form, but no Notice, Declaration, or other Document once recorded by the Clerk of the Peace under this Act shall afterwards be objected to on the Ground of Informality alone.

Service of Notices.

54. Any Notice or other Document required by this Act to be served upon any Person may be served on such Person by leaving the same at his usual or last known Place of Abode, or, if the Court should think proper, by sending it through the Post in a prepaid registered Letter addressed to such Person at his usual or last known Place of Abode.

Notices by Post.

55. Any Document served by Post as aforesaid shall be posted in such Time as to admit of its being delivered in the due Course of Delivery within the Period (if any) prescribed for the Service thereof, and in proving Service of such Document it shall be sufficient to prove that such Document was properly directed, and that it was put as a prepaid registered Letter into the Post Office.

Repealing Clause.

56. From and after the *Commencement of this Act*, the "Act "to amend the Laws for the Encouragement of planting Timber "Trees," passed in the Parliament holden in the Twenty-third and Twenty-fourth Years of George the Third, and "The Landed Property (Ireland) Improvement Act, 1860," are hereby repealed: Provided always, that no Act done or Proceeding taken under the said Acts previous to the *Commencement of this Act* shall be in any Manner invalidated by such Repeal, but for the Purpose of every such Act or Proceeding the said Acts shall still remain in force.

Commencement of Act.

57. This Act shall come into operation on the *First Day of January One thousand eight hundred and sixty-eight.*

Landed Property Improvement and Leasing (Ireland).

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B I L L

To facilitate the Improvement of Landed Property by extending the Powers of limited Owners of Land in Ireland.

(*Prepared and brought in by Mr. Pim, Mr. Leader, and Mr. Blake.*)

Ordered, by The House of Commons, *to be Printed*, 14 *May* 1867.

[Bill 150.]

Under 3 oz.

A

B I L L

TO

Appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth, intituled "An Act to appoint Commissioners "for carrying into execution several Acts granting an Aid to His "Majesty by a Land Tax to be raised in Great Britain, and "continuing to His Majesty certain Duties on Personal Estates, "Offices, and Pensions in England:"

And whereas several Acts have since been passed appointing additional Commissioners for carrying those Acts into execution:

And whereas it is expedient to appoint additional Persons to put in execution the several Acts for granting an Aid to Her Majesty by a Land Tax in Great Britain, and several other Acts for continuing or granting to Her Majesty Rates and Taxes:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble. 7 & 8 G. 4. c. 75. 9 G. 4. c. 38. 2 & 3 W. 4. c. 127. 3 & 4 W. 4. c. 95. 6 & 7 W. 4. c. 80. 1 & 2 Vict. c. 57. 7 & 8 Vict. c. 79. 11 & 12 Vict. c. 62. 16 & 17 Vict. c. 111. 20 & 21 Vict. c. 46. 26 & 27 Vict. c. 101.

1. The several and respective Persons herein-after named shall and may and are hereby empowered and authorized (being duly qualified) to

Appointment of additional

Commissioners. to put in execution the said Acts, and all the Clauses, Powers, Matters, and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties, Shires, and Places in England and Wales herein-after severally and respectively mentioned and expressed, as fully and effectually as if they had been named with the other Commissioners in the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King George the Fourth; (that is to say,)

For the County of Bedford.

Land Tax Commissioners Names.

A

BILL

To appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.

(*Prepared and brought in by Mr. Hunt and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed,* 18 *February* 1867.

[Bill 31.]

Under 1 *oz.*

Land Tenure (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

As to Constructive or Parol Tenancies of Land let for Agricultural Purposes after the passing of this Act.

Clauses.

1. For the future no Tenancy from Year to Year in respect of Agricultural Land shall be created by Parol Agreement or by legal Construction.
2. After the passing of this Act Tenancies from Year to Year in respect of Agricultural Land shall only be created by a Contract in Writing.
3. In the Absence of any written Contract to the contrary, a Tenancy created in respect of Agricultural Land after the passing of this Act shall be deemed to be a Tenancy for *Twenty-one* Years.
4. Such Construction of Law shall not apply to a Tenant overholding after the Expiration of his Lease unless left in undisturbed Possession of his Farm for *Two* Years after such Expiration.
5. In the Case of a constructive Tenancy for *Twenty-one* Years, either Party may, during the Tenancy, compel a Lease to be executed for the unexpired Term.
6. In case of Dispute such Lease shall be settled by the Chairman of the County in which the Lands shall be situated.

PART II.

As to Tenancies from Year to Year of Land let for Agricultural Purposes created after the passing of this Act.

7. To determine a Tenancy from Year to Year of Agricultural Land, *Twelve* Months Notice shall be necessary.
8. Tenants from Year to Year of Agricultural Land shall be entitled to deduct Half the County Cess.

Clauses.

9. In Cases of Tenancies from Year to Year the Landlord shall not be entitled to distrain, or to claim a Year's Rent, under 9 Anne, c. 8. (Ir.)

10. A Tenant from Year to Year, if dispossessed by Notice to quit, shall be entitled to Compensation for growing Crops and unexhausted Manure.

11. And also to Compensation for his Tenant Right in certain Cases.

12. Such Compensation shall be recoverable by Civil Bill, and shall be a Charge on the Farm from which the Tenant shall be dispossessed, in addition to the ordinary Remedies for its Recovery.

Part III.

As to Tenancies from Year to Year of Land let for Agricultural Purposes created before the passing of this Act.

13. Tenancies from Year to Year of Agricultural Land, created before the passing of this Act, and in existence on the *First Day of January 1870*, shall be subject to the Provisions of Part II. of this Act.

Part IV.

As to who may grant and as to the Effect of Leases for Twenty-one Years of Agricultural Land.

14. Every Landlord may grant a Lease in possession for *Twenty-one* Years of Agricultural Land, except a Landlord who is a Lessee.

15. A new Lease for Twenty-one Years, made within *Four* Years of the Expiration of a subsisting Lease for *Twenty-one* Years to an occupying Tenant by his Landlord, shall be deemed to be a Lease in possession, though not to commence till the Expiration of the old Lease.

16. All such Leases shall be valid against the Grantor, and any future Owner of the Land, and all other Persons interested, except in certain Cases.

17. If Landlord be evicted for Defect of Title within *Two* Years after the making of such Lease, the Lease shall be voidable at the Election of the new Landlord.

18. A Successor to a limited Owner may object to a Lease for not having had reserved the best Rent; and in that Case the Chairman may increase the Rent, and the Tenant shall pay the increased Rent, or the Lease shall be void.

19. The

Clauses.
19. The Landed Estates Court may set aside or amend such a Lease in certain Cases.
20. In Cases of Sales in the Landed Estates Court, Tenancies from Year to Year may be converted into Tenancies under a *Twenty-one* Years Lease.
21. Before doing so, Notice shall be served on the Parties interested.
22. Mode of carrying out the Conversion.
23. Leases for *Twenty-one* Years shall not be subject to Stamp Duty.

PART V.

As to Tenancies under Leases for Twenty-one Years of Land let for Agricultural Purposes.

24. Lessee for *Twenty-one* Years not to subdivide or sublet without Consent in Writing.
25. If Lessee sublet, he shall be liable to a Penalty of Two Pounds an Acre for each Acre he parts possession of.
26. And shall not recover Rent from any Sub-tenant, and the Sub-tenant may recover back any Money paid in advance, as the Consideration for any Subdivision or Subletting.
27. The Letting of Conacre, or Grazing or Meadowing, shall not be deemed Subletting or Subdivision.
28. Under a Lease for *Twenty-one* Years, Trees, Mines, Minerals, Quarries, and Game shall belong to the Landlord in the absence of any Agreement to the contrary.
29. In the Case of an Eviction for Nonpayment of Rent of a Lease for *Twenty-one* Years, the Tenant shall have only *Three* Months to redeem.
30. And the Landlord shall not be liable to account for the Profits of the Land during the Period allowed for Redemption.
31. A *Twenty-one* Years Lease shall not operate as an outstanding legal Estate.

PART VI.

As to Rent and the Recovery of Rent of Land let for Agricultural Purposes.

32. After *Six* Years all Arrears of Rent shall be barred.
33. Grazing Stock shall not be liable to a Landlord's Distress for Rent beyond the Amount of the Grazing Money, unless in case of Fraud.

Clauses.
34. Nor shall Household Furniture be seized for Agricultural Rent, nor Implements of Husbandry, imported Manure or or Materials for building or draining.

PART VII.

As to Tenants overholding after the Expiration of their Lease, and as to the mode of recovering Possession from them.

35. An overholding Tenant shall for *Two* Years after the Expiration of his Lease be deemed a Tenant at Will only.
36. And Possession may be recovered on a parol Demand of Possession within *Six* Months after the Expiration of the Tenancy, and on a written Demand afterwards.
37. All Ejectments to recover Possession of Land overheld after the Expiration of a Lease may be brought before the Chairman of the County in which the Lands are situated.

PART VIII.

As to Compensation Agreements.

38. Every Landlord shall have Power to make Agreements to compensate Tenants for Improvements, which shall bind his Successors.
39. But no Agreement made by a limited Owner shall bind his Successor for any greater Sum than *Four* Years Rent of the Farm, unless the Improvements shall be sanctioned by and executed to the satisfaction of the Board of Works.
40. No Sum paid by an incoming Tenant to recompense a Landlord for what he may have paid to the outgoing Tenant for Improvements or Compensation shall be deemed a Fine or Foregift.

PART IX.

General Provisions.

41. This Act not to apply to Demesne Lands, or to Land in Boroughs, or to Holdings under *Four* Pounds annual Value.
42. Holdings under *Four* Pounds annual Value in existence on the 1st of January 1870 shall be deemed "Cottier Tenancies" under 23 & 24 Vict. c. 154.
43. What shall be deemed ordinary Covenants between Landlord and Tenant within the Meaning of this Act.
44. Chairman of Counties to make Rules and frame Forms.
45. Short Title of the Act.

A

BILL

TO

Regulate and improve the Tenure of Land in Ireland between Landlord and Tenant.

WHEREAS Certainty and Security of Tenure is the best Encouragement to honest Industry and the Application of Capital and Labour in the Cultivation of Land : Preamble.

And whereas the Land of Ireland let for Agricultural Purposes is in a great measure held by the occupying Tenants thereof as Tenants from Year to Year, or for other uncertain Period, who have thus no Security for the Continuance of their Possession, or Certainty for the Enjoyment of the Fruit of their Labour :

And whereas it is expedient to induce Proprietors to give to Tenants in Ireland a more permanent Occupation of their Farms, by discouraging Tenancies from Year to Year, or for other uncertain Periods, and encouraging Tenancies, under Contracts in Writing, for fixed Terms of Years :

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Part I.

As to Constructive or Parol Tenancies of Land let for Agricultural Purposes after the passing of this Act.

In future no Tenancy from Year to Year in respect of Agricultural Land shall be created by Parol Agreement or Legal Construction.

1. From and after the *passing of this Act* no Tenancy from Year to Year shall be created in respect of any Land let to an occupying Tenant for Agricultural Purposes by Parol Agreement or by Construction or Operation of Law.

After the passing of this Act Tenancies from Year to Year in respect of Agricultuaal Land shall only be created by a Contract in Writing.

2. A Tenancy from Year to Year of Land let after the *passing of this Act* for Agricultural Purposes to an occupying Tenant shall only be created by a Contract in Writing, and in the Absence of any Contract in Writing all Tenancies of Land let for Agricultural Purposes after the passing of this Act to an occupying Tenant shall be deemed to be Leasehold Tenancies as next herein-after provided.

In the Absence of any written Contract to the contrary, a Tenancy created in respect of Agricultural Land after passing of this Act shall be deemed to be a Tenancy for 21 Years.

3. Every occupying Tenant of Land let for Agricultural Purposes after the *passing of this Act*, who, but for the passing of this Act, would by Construction or Operation of Law be deemed to be a Tenant from Year to Year of the said Land, shall, in the Absence of any Contract in Writing fixing the Tenure for any other Period, be deemed to hold the Land he shall so occupy as Tenant thereof under an Agreement for a Lease for the Term of *Twenty-one* Years from the Date of the Commencement of his Tenancy, in case the Party under whom he holds the Land shall have Power to make such Lease, and in case he shall not have such Power, under an Agreement for a Lease for such lesser Period as such Person shall have Power to grant.

Such Construction of Law not to apply in certain Cases.

4. Nothing in the last Section contained shall extend to any occupying Tenant of Land let for Agricultural Purposes who shall overhold any Farm or Land after the Expiration of his Lease, unless he shall be permitted to occupy his said Farm or Land as Tenant thereof for a Period of *Two* Years after the Expiration of his Lease without any Demand of Possession in Writing, signed by the Landlord or his known Agent or Receiver.

In the Case of a Constructive Tenancy for 21 Years, either Party may during the Tenancy compel a Lease to be executed for the unexpired Term.

5. At any Time during the Continuance of the Tenancy created by the Third Section of this Act, the Landlord shall be bound to grant, and the Tenant shall be bound to accept, a Lease to the Effect in said Section mentioned, with the ordinary Covenants between Landlord and Tenant, on being required so to do by Notice in Writing signed by the Party requiring the same; and a Notice for that Purpose, served on or by the known Agent or Receiver of any Landlord, shall be sufficient Service on or by the Landlord, in case the

the Landlord shall not reside in Ireland, or shall be absent therefrom for a Period exceeding *Six* Months.

6. In case of any Dispute as to the Execution of or the Terms of such Lease, the same shall be decided by the Chairman of the County or Riding in which the Lands shall be situate, subject to the same Right of Appeal as ordinary Civil Bill Actions from Time to Time may be subject to.

In case of Dispute such Lease shall be settled by Chairman of County in which the Lands shall be situated.

Part II.

As to Tenancies from Year to Year of Land let for Agricultural Purposes created after the passing of this Act.

7. No Notice to quit for a less Period than *Twelve* Months shall be valid to determine any Tenancy from Year to Year created after the *passing of this Act* of or in any Land let for Agricultural Purposes.

To determine a Tenancy from Year to Year of Agricultural Land *Twelve* Months Notice shall be necessary.

8. Every Tenant of Land let for Agricultural Purposes after the *passing of this Act*, for any Term not greater than a Tenancy from Year to Year, shall be entitled to deduct from each Pound of the Rent which he shall be liable to pay for the same *One Half* of the Sum which he shall have paid as County Cess in respect of each Pound of the net annual Value thereof, and so in proportion for any Sum less than a Pound.

Tenants from Year to Year of Agricultural Land shall be entitled to deduct Half the County Cess.

9. The Right of Distress shall not attach to any Rent payable in respect of Land let for Agricultural Purposes held under a Tenancy from Year to Year, created after the *passing of this Act*, nor shall any Landlord in respect of such Rent be entitled to or have any Benefit or Priority for the same against an Execution Creditor who may seize under his Execution a Tenant's Goods lying on the Land demised.

In Cases of Tenancies from Year to Year, the Landlord shall not be entitled to distrain, or to claim a Year's Rent, under 9 Anne, c. 8. (Ir.)

10. When any Land let for Agricultural Purposes after the *passing of this Act* shall be in the Possession of any Tenant having no greater Interest therein than as Tenant from Year to Year, and such Tenancy shall be determined by Notice to quit served by the Landlord, the Tenant shall be entitled to a fair Compensation for any Crops which may be growing on the Lands from which he shall be dispossessed under said Notice, and for any Benefit arising from any Manure by him laid out on the Land which may be unexhausted at the Time of his Dispossession.

A Tenant from Year to Year, if dispossessed by Notice to quit, shall be entitled to Compensation for growing Crops and unexhausted Manure.

And also to Compensation for his Tenant Right, in certain Cases.

11. In addition to such Compensation, such last-mentioned Tenant shall also be entitled to Compensation for any Allowance which according to Custom would be made to him by any incoming Tenant in any County or Part of a County in which such Custom exists, and in Counties or Parts of Counties in which no such Custom exists he shall be entitled to Compensation for any Loss or Injury he may sustain by reason of being deprived of the Possession of said Land, in case he shall have been in possession of said Land for *Five* Years at the least, and shall from Time to Time have paid all Rent due, and managed, tilled, and used said Land in the due Course of Husbandry, so as not to have injured or deteriorated the same while in his Tenancy.

Such Compensation shall be recoverable by Civil Bill, and shall be a Charge on the Farm from which the Tenant shall be dispossessed, in addition to the ordinary Remedies for its Recovery.

12. Any Compensation which any Tenant shall be entitled to under the Two last-mentioned Sections of this Act shall be recoverable from his Landlord by Civil Bill Process before the Chairman of the County or Riding in which the Land shall be situate, subject to the same Right of Appeal as ordinary Civil Bill Actions now are or hereafter shall be subject to; and any Decree made by a Chairman of a County or a Judge on Appeal in respect of any such Compensation shall, in addition to other Remedies for the Recovery of the same, operate as a Charge on the Farm or Land from which such Tenant shall be dispossessed in the same Priority as any Charge created under any Act authorizing an Advance of Public Money for Improvement of Land would rank in case such Money were to be advanced on such Farm or Land, and in case such Money shall have been advanced on such Farm or Land, next immediately after such Charge; and such Decree shall be assignable by the Tenant who shall obtain the same; and the Assignee may sue for and recover the same in his own Name in all respects and in the same Way as the Tenant could have done if he had not assigned the same.

Part III.

As to Tenancies from Year to Year of Land let for Agricultural Purposes, created before the passing of this Act.

Tenancies from Year to Year of Agricultural Land created before the passing of this Act, and in existence on the 1st of January 1870, shall be subject to the Provisions of Part II. of the Act.

13. All Tenancies from Year to Year of Land let to occupying Tenants for Agricultural Purposes, created before the passing of this Act, which shall be in existence on the *First Day of January One thousand eight hundred and seventy*, shall, for the Purposes of Part Second of this Act, be deemed to be Tenancies created after the passing of this Act, and shall be in all respects subject to the several Provisions in Part Second of this Act contained relative to Tenancies from Year to Year created after the passing of this Act.

Part IV.

Part IV.

As to who may grant and as to the Effect of Leases for Twenty-one Years of Agricultural Land.

Every Landlord may grant a Lease in possession for Twenty-one Years of Agricultural Land, except a Landlord who is only a Lessee.

14. In addition to the Persons now by Law entitled to make such Leases, every Person in possession or receipt as Landlord thereof of the Rents or Profits of any Land shall have Power to make Leases in possession, and not in reversion, of such Land, for Agricultural Purposes, for the Term of *Twenty-one* Years, unless such Person shall be only a Lessee himself, and in that Case no Lease made by him shall continue after the Term granted by his Lease.

A new Lease for 21 Years made within Four Years of Expiration of a subsisting Lease for 21 Years to an occupying Tenant, shall be deemed to be a Lease in possession, though not to commence till the Expiration of old Lease.

15. Any new Lease for any Period not exceeding *Twenty-one* Years, granted by a Landlord to an occupying Tenant of Land let for Agricultural Purposes, and held by such Tenant under a Lease of *Twenty-one* Years within *Four* Years of the Expiration of such Tenant's existing Lease of *Twenty-one* Years, shall be deemed to be a Lease in possession, and not in reversion, although said new Lease shall be declared not to begin to run until the Expiration of the then subsisting Lease.

All such Leases shall be valid against the Grantor and every future Owner of the Land, and all other Persons interested, except in certain Cases.

16. Every Lease for *Twenty-one* Years granted in pursuance of this Act shall be valid, not only against the Party granting the same, but also against all Persons whatsoever interested in or entitled to, or claiming to be interested in or entitled to, said Land, before or at the Time of or subsequent to the making of said Lease, unless the same shall be impeached in manner herein-after mentioned.

If Landlord evicted for Defect of Title within Two Years after the making of such Lease, Lease to be voidable, at Election of new Landlord.

17. If within *Two* Years after the making of any Lease for *Twenty-one* Years, the Person making the same shall be evicted from the Possession of the Rents and Profits of the Lands which he so leased for Defect of Title existing at the Time of the making of the Lease, or if within the said Period of *Two* Years Proceedings grounded on said Defect of Title shall have been commenced against such Person, on which Possession shall be afterwards recovered, the Party recovering Possession of said Lands may, at his Discretion, treat the Tenant as holding under the said Lease, or as Tenant from Year to Year only; but in case the Party recovering Possession of said Lands shall not within *Six* Months after his so recovering Possession of said Lands, by Notice in Writing served on the Tenant, elect to treat him as Tenant from Year to Year, the Lease under which the Tenant held previous to said Recovery shall be deemed to be valid and subsisting to all Intents and Purposes.

 18. Any

A Successor to a limited Owner may object to a Lease for not having had reserved the best Rent, and in that Case the Chairman may increase the Rent, and the Tenant shall pay the increased Rent, or the Lease shall be void.

18. Any Successor of any limited Owner may object to any Lease made by such limited Owner for *Twenty-one* Years, on the Ground that such limited Owner did not at the Time of the making of such Lease reserve the best Rent that could be reasonably got for the same, without getting any Fine or Foregift; and in such Case such Successor may apply to the Chairman of the County in which such Lands are situate to increase the Rent reserved in such Lease to what he may allege should have been the proper Rent, and such Application shall be heard and determined as an ordinary Civil Bill; and in case the Chairman or Judge on Appeal shall, on hearing the Case, decree that the Rent shall for the future be increased, the Tenant shall, within such Time as the Chairman or Judge shall appoint, produce to the Clerk of the Peace his Lease, and the Clerk of the Peace shall alter the reserved Rent to the Amount mentioned in the Decree of the Chairman or Judge, as the Case may be; and the Tenant shall be bound to pay such increased Rent during the Continuance of his Lease, and in case he shall fail to produce his Lease for Alteration within the Time limited as aforesaid the Lease shall be void.

Landed Estates Court may set aside or amend such a Lease, in certain Cases.

19. In any Proceeding pending for the Sale of Land in their Court, the Judges of the Landed Estates Court may set aside any Lease for *Twenty-one* Years granted in pursuance of this Act, and sell the Land discharged of such Lease, or, at the Option of the Tenant, increase the Rent payable under said Lease, in case, on the Application of any Party interested in said Land except the Grantor of the Lease, the Court shall be of opinion that such Lease was not *bonâ fide* made, but was made at a low Rent collusively with the Tenant, for the Purpose of defeating or injuring Creditors or other Parties interested in said Land.

In Cases of Sales in the Landed Estates Courts, Tenancies from Year to Year may be converted into Tenancies under a 21 Years Lease.

20. In all Cases of the Sale of Land let for Agricultural Purposes in the Landed Estates Court the Judges of said Court shall have Power to convert Tenancies from Year to Year into Leasehold Tenancies for *Twenty-one* Years, and to sell the Land subject to such Leasehold Interests, but no such Conversion shall be made except in manner herein-after mentioned.

Before doing so Notices shall be served on the Parties interested.

21. When settling the Rental of any Estate to be sold in the Landed Estates Court, the Judge in whose Court the said Rental is to be settled shall cause a Notice to be served on the Petitioner and Owner, and such other Parties (if any) interested in said Sale as he may think proper, requiring them, within a Time to be fixed in such Notice, to show Cause, if any, why Leases for Twenty-on Years should not be granted to such of the Tenants of said Estate as shall appear to be Tenants from Year to Year of Land let for Agricultural

Agricultural Purposes at the Rent at which the Tenants shall then hold the same, or at such other Rent as the Court shall determine.

Mode of carrying out the Conversion.

22. On the final Settlement of the Rental the Judge before whom the Case shall come shall hear any Objections that shall be made to said Conversion, and shall finally determine as to whether all or any of the Tenants from Year to Year appearing on said Rental shall obtain Leases for *Twenty-one* Years of their respective Holdings, and, if so, at what Rent; and in case the Judge shall determine that a Lease for *Twenty-one* Years shall be granted to all or any of said Tenants, the Tenant or Tenants declared entitled to such Lease shall be stated on the Rental as Tenants holding under a Lease for *Twenty-one* Years, and a Lease shall be granted for said Period to such Tenant or Tenants under the Seal of the Court in such Form as the Court shall by General Order from Time to Time direct.

Leases for 21 Years not to be subject to Stamp Duties.

23. No Lease for *Twenty-one* Years, or Counterpart thereof, of Land let for Agricultural Purposes, shall be liable to any Stamp Duty.

Part. V.

As to Tenancies under Leases for Twenty-one Years of Land let for Agricultural Purposes.

Lessee for 21 Years not to subdivide or sublet, without Consent in Writing.

24. In the Absence of any Provision in the Lease authorizing the same, it shall not be lawful for any Tenant holding any Agricultural Land under any Lease for *Twenty-one* Years to subdivide or sublet his Land, without the Consent in Writing of his Landlord or of his known Agent or Receiver.

If Lessee sublets he shall be liable to a Penalty of 2*l.* an Acre for each Acre he parts possession of.

25. In case any Tenant holding under such Lease as last aforesaid shall subdivide or sublet his Land without such Consent as aforesaid, he shall be liable to pay to his Landlord, once in every Year in which any Subdivision or Subletting may be made or continued, in addition to his Rent, a Penalty of *Two* Pounds for each Statute Acre or fractional Part of an Acre which he shall sublet to or allow to be occupied by any other Party, and such Penalty shall be recoverable by the Landlord of the Land in a summary Way before Two Justices of the County in which the Land shall be situate, under "The Petty Sessions (Ireland) Act, 1851," or any Act amending the same.

And shall recover Rent from any Sub-tenant,

26. No Rent shall be recoverable from a Sub-tenant by any Tenant holding under such Lease as last aforesaid who shall sublet his Land without such Consent as aforesaid; and in case of

and Subtenant may recover back any Money paid in advance as the Consideration for any Subdivision or Subletting.

any Payment made in consideration of any Subdivision or Subletting of such Land without such Consent, the Party making such Payment shall be entitled to recover back from the Tenant to whom he paid the same the Money he so paid, notwithstanding that he may have occupied or used the Land for the Occupation of which the Money was paid, and any Agreement not to do so shall be void.

Letting of Conacre, or Grazing or Meadowing, shall not be deemed Subletting or Subdivision.

27. No Letting by Conacre, or taking in of Stock to be fed or grazed on the Farm, or Letting of Meadow or Grazing for a Period not exceeding *Six Months*, shall be deemed to be a Subletting or Subdividing within the Meaning of this Act.

Under Lease for 21 Years Trees, Mines, Minerals, Quarries, and Game shall belong to the Landlord in the Absence of any Agreement to the contrary.

28. In the Absence of a special Agreement to the contrary, every Lease for *Twenty-one* Years of Land let for Agricultural Purposes after the passing of this Act shall be deemed to reserve to the Landlord all Trees growing on the Farm or Land at the Time of the Commencement of the Lease, and all Mines, Minerals, and Quarries, and the exclusive Right to the Game of the Farm or Land, as fully and effectually as if the same had been reserved to the Landlord expressly in the Lease.

In case of an Eviction for Nonpayment of Rent of a Lease for 21 Years the Tenant shall have only Three Months to redeem.

29. *Three* Months shall be the Limit of the Period for the Redemption of a Lease for Twenty-one Years evicted for Nonpayment of Rent; and in case within *Three* Months after the Landlord shall be put in possession of any Premises held under a Lease for *Twenty-one* Years, and evicted for Nonpayment of Rent, the Tenant shall not redeem the same in manner as is now by Law required to be done within *Six* Months, the Tenant, and all Persons claiming under him, shall be barred and foreclosed from all Right under said Lease, and the Landlord shall from henceforth hold the demised Premises discharged from such Lease.

And the Landlord shall not be liable to account for the Profits of the Land during Period allowed for Redemption.

30. No Landlord shall be liable on Redemption by any Tenant holding under a Lease for *Twenty-one* Years to account to such Tenant for what he shall or may or could without wilful Default have made of the Land of which he shall be in possession after the Eviction, and pending the Redemption of such Lease.

A Twenty-one Years Lease shall not operate as an outstanding legal Estate.

31. A Lease for *Twenty-one* Years shall not operate as an outstanding legal Estate to defeat the Right of any Party to maintain an Ejectment for the Recovery of any Land, but the Party recovering in said Ejectment shall not be entitled to the Land, but only to the Rent reserved for the Lease during the Continuance

Continuance thereof, unless he shall entitled to impeach the same as herein-before provided.

Part VI.

As to Rent and the Recovery of Rent of Land let for Agricultural Purposes.

32. No Proceeding at Law or Equity shall be maintainable to recover any Rent due or in arrear for more than *Six* Years before the Commencement of such Proceedings, whether the same be reserved by Deed or not.

After Six Years all Arrears of Rent shall be barred.

33. When any Tenant shall bonâ fide take in Stock to be grazed or fed on his Farm, and such Stock shall be seized as a Distress for the Rent of said Farm, such Stock shall only be liable to the Extent of the Consideration agreed to be paid by the Owner thereof to the Tenant, and no further: Provided always, that the Consideration so agreed to be paid shall be a fair and *bonâ fide* Consideration, and while such Stock or any Portion thereof shall remain on the Farm, the Liability of such Stock or Portion thereof shall continue to the Landlord of the Farm for the whole Consideration agreed upon to be paid, although the Owner of such Stock may have paid the same to the Tenant of the Farm.

Grazing Stock shall not be liable to a Landlord's Distress beyond the Amount of the Grazing Money, unless in case of Fraud.

34. Under a Distress for Rent of an Agricultural Farm it shall not be lawful to take or seize the Household Furniture of any House on the Land, nor shall it be lawful to take or seize any Agricultural Implements or imported Manure found on said Lands, or any Materials for building or draining, not being the Produce of the Farm, or used on the Farm at the Time of the Seizure.

Household Furniture shall not either be seized for Agricultural Rent, nor Implements of Husbandry, imported Manure, or Materials for building or draining.

Part VII.

As to Tenants overholding after the Expiration of their Lease, and as to the Mode of recovering possession from them.

35. No occupying Tenant of Land let for Agricultural Purposes who, after the *passing of this Act*, shall overhold the same after the Expiration of his Lease shall acquire any greater Estate or Interest in his Land than a Tenancy at Will without a Contract in Writing, unless he shall be left in occupation of his Land for more than *Two* Years after the Expiration of his Lease without a Demand of Possession as herein-after provided.

An overholding Tenant shall for Two Years after the Expiration of his Lease be deemed a Tenant at Will only.

36. Within *Two* Years after the Expiration of any Lease a Landlord of any Farm or Land let for Agricultural Purposes may recover Possession of the same from any occupying overholding Tenant,

And Possession may be recovered on a Parol De-

mand of Possession within Six Months of the Expiration of the Lease, and on a written Demand afterwards.

on Proof of a Demand of Possession of said Farm or Land, but no Demand of Possession of any Farm or Land shall be valid if a Tenant shall be left in possession thereof for a Period of *Six* Months or upwards after the Expiration of his Lease, unless such Demand of Possession shall be in Writing and signed by the Landlord or his known Agent or Receiver; and in case a Tenant shall be left in possession of his Farm or Land for *Six* Months or upwards after the Expiration of his Lease, he shall not be bound to deliver Possession thereof on a Demand of Possession until the last Gale Day of the current Year in which such Demand of Possession shall be made.

All Ejectments to recover Possession of Land overheld after the Determination of a Lease may be brought in the Civil Bill Court of the County in which the Land is situated.

37. All Ejectments to recover Possession of Land let for Agricultural Purposes to an occupying Tenant overheld after the Expiration of a Lease may be brought in the Civil Bill Court of the County in which the Land may be situate without reference to the Amount of the Rent reserved by the expired Lease.

Part VIII.

As to Compensation Agreements.

Every Landlord shall have Power to make Agreements to compensate Tenants for Improvements, which shall bind his Successors.

38. Every Landlord entitled under this Act to grant a Lease for *Twenty-one* Years of Agricultural Land may enter into an Agreement with a Tenant occupying under him Land let for Agricultural Purposes for the Execution by such Tenant of any of the Improvements specified in "The Improvement of Land Act, 1862," on his Farm or Land, and for securing to such Tenant and his Representatives Compensation or Payment for the same, either by annual or other periodical Allowances or Payments during his Tenancy, or by a Bulk Payment at the End of his Tenancy; and such Agreement shall be binding on all Persons whomsoever into whose Hands said Farm or Land shall come as Landlord thereof save as hereafter excepted.

But no Agreement made by a limited Owner shall bind his Successor for any greater Sum than Four YearsRent of Farm unless the Improvements be sanctionedby and executed to the Satisfaction of the Board of Works.

39. No such Agreement made by a limited Owner shall be binding on his Successor for any Sum greater than *Four* Years Rental of the Farm or Land, unless the Improvements, before they shall be executed, shall be sanctioned by the Commissioners of Public Works in Ireland, on a Memorial presented to them for that Purpose by the Landlord and Tenant, or by either of them, and until a Certificate that the Works have been properly executed shall be given by the said Commissioners under their Seal, which Certificate shall be lodged with the Clerk of the Peace of the County in which the Farm or Lands shall be situate within One Year from the final Execution of the Works.

40. No

40. No Sum paid by any incoming Tenant to a Landlord to recoup such Landlord for any Sum he may have paid an Outgoing Tenant for Improvements and Compensation shall be deemed to be a Fine or Foregift to invalidate any Lease.

No Sum paid by an incoming Tenant to be deemed a Fine or Foregift.

Part IX.

General Provisions.

41. Nothing in this Act contained shall affect any Demesne Lands, or any Land let for Agricultural Purposes within the Boundary of any Municipal Borough, or any Holding the net annual Value whereof shall not exceed *Four* Pounds.

Act not to apply to Demesne Lands or Land in Boroughs, or to Holdings under 4*l.* annual Value.

42. All Tenancies of Land let for Agricultural Purposes to occupying Tenants after the passing of this Act, or which shall be in existence on the *First of January One thousand eight hundred and seventy*, the net annual Value whereof shall not exceed *Four* Pounds, shall be deemed to be "Cottier Tenancies" within the Meaning of "The Landlord and Tenant Law Amendment Act (Ireland) 1860."

Holdings under 4*l.* annual Value in existence on 1st Jan. 1870 shall be deemed "Cottier Tenancies" under 23 & 24 Vict. c. 151.

43. For the Purposes of this Act ordinary Covenants in a Lease of Land let for Agricultural Purposes for *Twenty-one* Years shall be deemed to be Covenants to pay the Rent reserved, to maintain and deliver up the Premises in good Repair, and to till the Land in a husbandlike Manner, and all other Covenants shall be deemed to be special Covenants.

What shall be deemed ordinary Covenants between Landlord and Tenant within Meaning of this Act.

44. Forms, Rules, and Regulations for carrying out this Act, so far as the same is within their Jurisdiction, shall Time to Time be framed and made by the Chairmen of the several Counties in Ireland, and such Forms, Rules, and Regulations shall be framed and made in the same Manner as the same are directed to be made by Chairmen of Counties under "The Landed Property (Ireland) Improvement Act, 1860," for and in respect of Proceedings and Matters in their Courts under that Act.

Chairmen of Counties to make Rules and frame Forms.

45. This Act shall be cited for all Purposes as "The Land Tenure (Ireland) Act, 1867."

Short Title of the Act.

Land Tenure (Ireland).

A

BILL

To regulate and improve the Tenure of Land in Ireland between Landlord and Tenant.

(*Prepared and brought in by Sir Colman O'Loghlen and Mr. Gregory.*)

Ordered, by The House of Commons, *to be Printed,* 12 *February* 1867.

[Bill 19.]

Under 2 *oz.*

389

Libel Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

As to Speeches at Public Meetings.

Clauses.

1. No Proprietor of a Newspaper or periodical Publication shall be liable to an Action or Prosecution for a faithful Report of a Speech at a Public Meeting, unless he shall decline to publish, if required, an Explanation or Contradiction of the Statements complained of.
2. A Speaker at a Public Meeting shall be liable to be sued and prosecuted for defamatory Matter spoken by him at such Meeting, as if he had written and published the same.
3. The Privilege of Parliament or other Public Bodies shall not be affected by this Act.

PART II.

As to Actions for Libel.

4. In Actions for Libel the Defendant shall be at liberty to pay Money into Court in discharge of the Action.
5. When the Sum paid into Court is not accepted by the Plaintiff in discharge of his Action, the Defendant may require the Plaintiff to give Security for Costs.
6. When the Damages in an Action of Libel do not exceed *Five* Pounds, the Plaintiff shall not get more Costs than Damages.

PART III.

As to Prosecutions for Libel.

7. Without the Sanction of the Law Officer of the Crown no private Prosecutor shall be at liberty to prefer an Indictment for any Libel other than a Libel published with Intent to extort.
8. The Defendant on the Trial of an Indictment or Information for Libel may offer himself as a Witness, and so may the Defendant's Wife or Husband.

PART IV.

As to Pleadings in Cases of Libel.

Clauses.

9. The Truth of a Libel may be pleaded in a short Form.

10. When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

PART V.

General Provisions.

11. Act not to extend to Scotland.

12. Short Title of the Act.

A

B I L L

TO

Amend the Law of Libel, and thereby to secure more effectually the Liberty of the Press.

WHEREAS it is expedient to amend the Law of Libel, and thereby to secure more effectually the Liberty of the Press: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Part I.

As to Speeches at Public Meetings.

1. In any Action or Prosecution for an alleged Libel in any public Newspaper or periodical Publication, Proof that the alleged Libel was a true Report of a Speech or Part of a Speech spoken at any Public Meeting lawfully assembled for a lawful Purpose, open to Reporters for the Press, and that the Report was published in the Newspaper or other periodical Publication bonâ fide without actual Malice and in the ordinary Course of Business, shall amount to a Defence, unless it shall be proved that the Defendant declined or omitted, if required so to do, to publish in his Newspaper or other No Proprietor of Newspaper, &c. shall be liable to an Action or Prosecution for a faithful Report of a Speech at a Public Meeting, unless he shall decline to

publish a fair Reply to the Speech complained of.

other periodical Publication, and in a Portion of the same as conspicuous as that in which the said alleged Libel was published, an Explanation or Contradiction of the alleged Libel of not unreasonable Length, immediately after such Contradiction or Explanation shall have been furnished to the said Defendant by or on behalf of the Party complaining of the alleged Libel.

A Speaker at a Public Meeting shall be liable to be sued or prosecuted for defamatory Matter spoken by him at such Meeting as if he had written and published the same.

2. Any Person who shall speak at a Public Meeting lawfully assembled for a lawful Purpose, open to Reporters of the Press, any defamatory Matter of any other Person, which, if written, would amount to a Libel, shall be liable, if the same shall be reported in any public Newspaper or periodical Publication, to be proceeded against by Indictment, Information, or Action in the same Manner and to the same Extent as if he had written and published the same; and on such Indictment or Information, or in such Action, the Proceedings shall be in all respects the same as to Defences, Pleadings, and Costs as if the defamatory Libel complained of had been written and published by the Defendant.

The Privilege of Parliament or other Public Bodies not to be affected.

3. Nothing herein contained shall be deemed or taken, held or construed, directly or indirectly, by interpretation or otherwise, to affect the Privilege of Parliament or of Courts of Justice, or of any other Public Body entitled to Privilege, in any way whatever.

Part II.

As to Actions for Libel.

In Actions for Libel the Defendant may pay Money into Court in Discharge of the Action.

4. In Actions for Libel the Defendant shall be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and available in the same Manner and to the same Extent, and shall be subject to the same Rules and Regulations as Payment of Money into Court is now available and subjected to in other Personal Actions.

When the Sum paid into Court is not accepted in discharge of the Action, the Defendant may require the Plaintiff to give Security for Costs.

5. If the Plaintiff in any Action for Libel, where Money shall have been lodged in Court, shall decline to accept the Sum paid into Court in satisfaction of his Action, the Court or a Judge may, on the Application of the Defendant, at any Time order that the Plaintiff shall give to the Defendant Security for the Payment of the Defendant's Costs, and that all further Proceedings shall be stayed in the Cause until such Security shall be given.

As to Costs when the Damages in an Action of Libel do not exceed 5*l*.

6. In all Actions for Libel, unless the Jury shall give Damages exceeding *Five Pounds*, the Plaintiff shall not be entitled to more Costs than Damages.

Part III.

Part III.

As to Prosecutions for Libel.

Without the Sanction of Law Officers of the Crown, no private Prosecutor shall prefer an Indictment for Libel, other than a Libel published with Intent to extort.

7. It shall not be lawful for a private Prosecutor, without the Sanction of Her Majesty's Attorney General, or, in case that Office be vacant, of Her Majesty's Solicitor General, to prefer an Indictment for the Publication of any defamatory Libel other than a Libel published with Intent to extort any Money or Security for Money or any valuable Thing from such private Prosecutor or any other Person, or with Intent to induce such private Prosecutor or any other Person to confer or procure for any Person any Appointment or Office of Profit or Trust.

The Defendant at Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

8. On the Trial of any Indictment or Information for a defamatory Libel the Defendant shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on his or her Behalf, and the Husband or Wife of such Defendant shall be allowed, if he or she shall so think fit, to offer himself or herself as a Witness on behalf of the Defendant.

Part IV.

As to Pleadings in case of Libel.

The Truth of a Libel may be pleaded in a short Form.

9. In all Cases, Civil or Criminal, where a Defendant is or shall be allowed to plead the Truth of the Matters charged in the defamatory Libel, as a Justification or otherwise, it shall be sufficient for the Defendant to plead that the said alleged Libel is true in Substance and Matter of Fact; to which Plea the Plaintiff or Prosecutor shall be at liberty to reply generally.

When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

10. When a Defendant shall plead the Truth of the Libel in the Form allowed by this Act, a Court or a Judge may, if they or he shall so think fit, on the Application of the Plaintiff, order the Defendant to give a Bill of Particulars of the Facts, Circumstances, or Acts on which he intends to rely in proof of his Plea, and on the Trial the Defendant shall not be at liberty to prove other Facts, Circumstances, or Acts than those mentioned in his Bill of Particulars.

Part V.

General Provisions.

Act not to extend to Scotland.

11. This Act shall not extend to Scotland.

Title of Act.

12. For all Purposes this Act may be cited as "The Libel Act, 1867."

Libel.

A

BILL

To amend the Law of Libel, and thereby to secure more effectually the Liberty of the Press.

(*Prepared and brought in by Sir Colman O'Loghlen and Mr. Baines.*)

Ordered, by The House of Commons, *to be Printed,* 8 *February* 1867.

[Bill 11.]

Under 1 *oz.*

Libel Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

As to Proceedings at Public Meetings.

Clauses.

1. No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.
2. Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not itself involving libellous Matter on any other Person.
3. A Speaker of Defamatory Matter not amounting to Slander shall in certain Cases be liable to be sued for Libel.
4. The Privilege of Parliament or other Public Bodies, or of any Person, not be affected.

PART II.

As to Actions for Libel.

5. In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.
6. As to Costs when the Damages in an Action of Libel do not exceed Forty Shillings.

PART III.

As to Prosecutions for Libel.

7. To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute and pay Costs.
8. In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.
9. Two previous Sections not to apply to an Indictment for a Libel published to extort.
10. The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

PART IV.

As to Pleadings in case of Libel.

Clauses.

11. The Truth of a Libel may be pleaded in a short Form.
12. When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

PART V.

General Provisions.

13. Meaning of the Words "Public Newspaper."
14. Act not to affect pending Proceedings.
15. Act not to extend to Scotland.
16. Title of Act.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Law of Libel.

WHEREAS it is expedient to amend the Law of Libel: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Part I.

As to Proceedings at Public Meetings.

1. In any Action or Prosecution for an alleged Libel in any Public Newspaper, Proof that the alleged Libel was a true and fair Report of the Proceedings at a Meeting lawfully assembled for a lawful Purpose, open to Reporters, and at which Reporters were present, for the Purpose of reporting such Proceedings for the Public Newspapers, and that the Report was published in any such Newspaper *bonâ fide* without actual Malice and in the ordinary Course of Business, shall amount to a Defence, and such Proof may in all Cases be given by the Defendant under the general Plea of Not Guilty "by Statute." No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.

Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not involving libellous Matter on any other Person.

2. Provided always, That such Defence shall not be valid if it shall be proved that the Defendant declined or omitted, when required so to do, to publish in his Newspaper, and in a Mode as conspicuous as that in which the said alleged Libel was published, an Explanation or Contradiction of the alleged Libel, of not unreasonable Length, immediately after such Contradiction or Explanation shall have been furnished to the Defendant by or on behalf of the Plaintiff or Prosecutor; but no Defendant shall be bound to publish such Explanation or Contradiction if it shall contain libellous Matter, unless or until such libellous Matter shall be expunged upon Notice in Writing thereof being given to such Plaintiff or Prosecutor by the Defendant.

A Speaker of Defamatory Matter not amounting to Slander shall in certain Cases be liable to be sued for Libel.

3. If any Person shall at any such Meeting as aforesaid speak any Defamatory Matter reflecting upon the Character or Circumstances of another, which shall afterwards be published in any Public Newspaper, and which, if written and published, would amount to a Libel, and such Person shall, upon Application in Writing made to him by the Person defamed, refuse or neglect forthwith to publish in some Public Newspaper, circulating in the Part of the Country in which such Meeting shall have been held, a full Apology for having so spoken such defamatory Matter, it shall be lawful for the Person defamed to proceed by Action for Libel against the Person who shall have so spoken such Defamatory Matter, and in such Action the Proceedings shall be in all respects the same as if such defamatory Matter had been written and published by the Person who shall have so spoken the same.

The Privilege of Parliament or other Public Bodies, or of any Person, not to be affected.

4. Nothing herein contained shall be deemed or taken, held, or construed, directly or indirectly, by Interpretation or otherwise, to affect the Privilege of Parliament or of Courts of Justice, or of any other Public Body, or of any Person, entitled to Privilege, in any way whatever.

Part II.

As to Actions for Libel.

In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.

5. In Actions for Libel the Defendant shall be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and available in the same Manner and to the same Extent, and shall be subject to the same Rules and Regulations, as Payment of Money into Court is now available and subjected to in other Personal Actions.

6. In

6. In all Actions for Libel, where the Jury shall give Damages under *Forty* Shillings, the Plaintiff shall not be entitled to more Costs than Damages, unless the Judge before whom such Verdict shall be obtained shall immediately afterwards certify on the Back of the Record that the Libel was wilful and malicious.

As to Costs when the Damages in an Action of Libel do not exceed *Forty* Shillings.

Part III.

As to Prosecutions for Libel.

7. It shall not be lawful for a Private Prosecutor to prefer an Indictment for the Publication of a Defamatory Libel against any Person who shall not have been, previously to the said Indictment being preferred, bound by Recognizance or committed to Custody to answer the Charge stated in the said Indictment; and no Person shall be bound by Recognizance or committed to Custody to answer any Indictment for a Libel at the Suit of a Private Prosecutor, by any Justice or Justices of the Peace, unless such Prosecutor shall enter into a Recognizance before him or them, and which Recognizance the said Justice or Justices is and are hereby empowered to take, with Two solvent Sureties in such Sum as to the said Justice or Justices shall seem fit, that he will prefer an Indictment, and effectually prosecute the same, if it shall be thereafter found by a Grand Jury, and pay such Costs, if any, as shall be payable by him in respect of the same.

To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute.

8. In case any Person against whom such Indictment shall be found shall appear and plead to the same, and the Prosecutor of such Indictment shall not within *One* whole Year next after Plea pleaded, or within such further Time as may be granted by any Court before which the Case is pending or may come on for Trial, procure the same to be tried, or if upon such Trial the Defendant shall be acquitted, or in case the Prosecutor shall procure a *Nolle prosequi* to be entered on such Indictment, then in any of such Cases the Defendant shall be discharged from all further Proceedings in respect of the alleged Libel charged in such Indictment, and shall be entitled to receive from such Prosecutor the Costs sustained by him by reason of said Indictment, unless the Judge before whom the Indictment shall be tried shall, immediately after the Verdict thereon, certify on the Back of the Record that the Prosecutor had reasonable Cause for preferring such Indictment; and for the Recovery of his Costs the Defendant shall be entitled to the Benefit of the Recognizance entered into as aforesaid by the Prosecutor and shall have all the Remedies that may be necessary to enforce the same.

In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.

9. Nothing in the last Two Sections contained shall apply to an Indictment by a Private Prosecutor for the Publication of any

Two previous Sections not to apply

to an Indictment for a Libel published to extort.

Defamatory Libel published with Intent to extort any Money or Security for Money or any valuable Thing from such private Prosecutor or any other Person, or with Intent to induce such Private Prosecutor or any other Person to confer or procure for any Person any Appointment or Office of Profit or Trust.

The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

10. On the Trial of any Indictment or Information for a Defamatory Libel the Defendant shall be competent to give Evidence on his or her Behalf, and the Husband or Wife of such Defendant shall also be competent to give Evidence on behalf of the Defendant.

Part IV.

As to Pleadings in case of Libel.

The Truth of a Libel may be pleaded in a short Form.

11. In all Cases, Civil or Criminal, where a Defendant is or shall be allowed to plead the Truth of the Matters charged in the Defamatory Libel as a Justification or Defence, or Part of a Defence, it shall be sufficient for the Defendant to plead that the said alleged Libel is true in Substance and Matter of Fact, either alone or with such other Averments as is now or may hereafter be by Law required to be added to constitute a Defence to any Proceedings, Civil or Criminal, and to this Plea the Plaintiff or Prosecutor shall be at liberty to reply generally.

When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

12. When a Defendant shall plead the Truth of the Libel in the Form allowed by this Act, a Court or a Judge may, if they or he shall so think fit, on the Application of the Plaintiff, order the Defendant to give a Bill of Particulars of the Facts, Circumstances, or Acts on which he intends to rely in proof of his Plea, and on the Trial the Defendant shall not be at liberty to prove other Facts, Circumstances, or Acts than those mentioned in his Bill of Particulars.

Part V.

General Provisions.

Meaning of the Words "Public Newspaper."

13. The Words "Public Newspaper" in this Act shall be construed to mean any Newspaper duly registered at the Stamp Office in Westminster or Dublin, and none other.

Act not to affect pending Proceedings.

14. Nothing herein contained shall affect any Action or Prosecution which shall have been commenced before and shall be actually pending at the Time of the passing of this Act.

15. This

Act not to extend to Scotland.

15. This Act shall not extend to Scotland.

Title of Act.

16. For all Purposes this Act may be cited as "The Libel Act, 1867."

Libel.

A

BILL

[AS AMENDED IN COMMITTEE]

To amend the Law of Libel.

(*Prepared and brought in by*
Sir Colman O'Loghlen and Mr. Baines.)

Ordered, by The House of Commons, *to be Printed,*
8 *April* 1867.

[Bill 112.]

Under 1 *oz.*

Libel Bill.

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT.]

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

As to Proceedings at Public Meetings.

Clauses.

1. No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.
2. Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not itself involving libellous Matter on any other Person.
3. A Speaker of Defamatory Matter not amounting to Slander shall in certain Cases be liable to be sued for Libel.
4. The Privilege of Parliament or other Public Bodies, or of any Person, not be affected.

PART II.

As to Actions for Libel.

5. In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.
6. As to Costs when the Damages in an Action of Libel do not exceed Forty Shillings.

PART III.

As to Prosecutions for Libel.

7. To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute and pay Costs.
8. In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.
9. Two previous Sections not to apply to an Indictment for a Libel published to extort.
10. The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

PART IV.

As to Pleadings in case of Libel.

Clauses.

11. The Truth of a Libel may be pleaded in a short Form.
12. When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

PART V.

General Provisions.

13. Meaning of the Words "Public Newspaper."
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A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Amend the Law of Libel.

WHEREAS it is expedient to amend the Law of Libel: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Part I.

As to Proceedings at Public Meetings.

1. In any Action or Prosecution for an alleged Libel in any Public Newspaper, Proof that the alleged Libel was a true and fair Report of the Proceedings at a Meeting lawfully assembled for a lawful Purpose, open to Reporters, and at which Reporters were present, for the Purpose of reporting such Proceedings for the Public Newspapers, and that the Report was published in any such Newspaper bonâ fide without actual Malice and in the ordinary Course of Business, shall amount to a Defence, and such Proof may in all Cases be given by the Defendant under the Plea of Not Guilty "by Statute." No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.

Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not involving libellous Matter on any other Person.

2. Provided always, That such Defence shall not be valid if it shall be proved that the Defendant declined or omitted, when required so to do, to publish in his Newspaper, and in a Mode as conspicuous as that in which the said alleged Libel was published, an Explanation or Contradiction of the alleged Libel, of not unreasonable Length, immediately after such Contradiction or Explanation shall have been furnished to the Defendant by or on behalf of the Plaintiff or Prosecutor; but no Defendant shall be bound to publish such Explanation or Contradiction if it shall contain libellous Matter, unless or until such libellous Matter shall be expunged if a Request in Writing for that Purpose shall be given to such Plaintiff or Prosecutor by the Defendant.

A Speaker of Defamatory Matter not amounting to Slander shall in certain Cases be liable to be sued for Libel.

3. If any Person shall at any such Meeting as aforesaid speak any Defamatory Matter reflecting upon the Character or Circumstances of another, which shall afterwards be published in any Public Newspaper, and which, if written and published, would amount to a Libel, and such Person shall, upon Application in Writing made to him by the Person defamed, refuse or neglect forthwith to publish in some Public Newspaper, circulating in the Part of the Country in which such Meeting shall have been held, a full Apology for having so spoken such defamatory Matter, it shall be lawful for the Person defamed to proceed by Action for Libel against the Person who shall have so spoken such Defamatory Matter, and in such Action the Proceedings shall be in all respects the same as if such defamatory Matter had been written and published by the Person who shall have so spoken the same.

The Privilege of Parliament or other Public Bodies, or of any Person, not to be affected.

4. Nothing herein contained shall be deemed or taken, held, or construed, directly or indirectly, by Interpretation or otherwise, to affect the Privilege of Parliament or of Courts of Justice, or of any other Public Body, or of any Person, entitled to Privilege, in any way whatever; and in any such Action for Libel for Words spoken, the Defendant shall have the same Privilege that he would have if the Action were an Action for Slander.

Part II.

As to Actions for Libel.

In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.

5. In Actions for Libel the Defendant shall be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and available in the same Manner and to the same Extent, and shall be subject to the same Rules and Regulations, as Payment of Money into Court is now available and subjected to in other Personal Actions.

6. In

6. In all Actions for Libel, where the Jury shall give Damages under Forty Shillings, the Plaintiff shall not be entitled to more Costs than Damages, unless the Judge before whom such Verdict shall be obtained shall immediately afterwards certify on the Back of the Record that the Libel was wilful and malicious.

As to Costs when the Damages in an Action of Libel do not exceed Forty Shillings.

Part III.

As to Prosecutions for Libel.

7. It shall not be lawful for a Private Prosecutor to prefer an Indictment for the Publication of a Defamatory Libel against any Person who shall not have been, previously to the said Indictment being preferred, bound by Recognizance or committed to Custody to answer the Charge stated in the said Indictment; and no Person shall be bound by Recognizance or committed to Custody to answer any Indictment for a Libel at the Suit of a Private Prosecutor, by any Justice or Justices of the Peace, unless such Prosecutor shall enter into a Recognizance before him or them, and which Recognizance the said Justice or Justices is and are hereby empowered to take, with Two solvent Sureties in such Sum as to the said Justice or Justices shall seem fit, that he will prefer an Indictment, and effectually prosecute the same, if it shall be thereafter found by a Grand Jury, and pay such Costs, if any, as shall be payable by him in respect of the same.

To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute.

8. In case any Person against whom such Indictment shall be found shall appear and plead to the same, and the Prosecutor of such Indictment shall not within One whole Year next after Plea pleaded, or within such further Time as may be granted by any Court before which the Case is pending or may come on for Trial, procure the same to be tried, or if upon such Trial the Defendant shall be acquitted, or in case the Prosecutor shall procure a Nolle prosequi to be entered on such Indictment, then in any of such Cases the Defendant shall be discharged from all further Proceedings in respect of the alleged Libel charged in such Indictment, and shall be entitled to receive from such Prosecutor the Costs sustained by him by reason of said Indictment, unless the Judge before whom the Indictment shall be tried shall, immediately after the Verdict thereon, certify on the Back of the Record that the Prosecutor had reasonable Cause for preferring such Indictment; and for the Recovery of his Costs the Defendant shall be entitled to the Benefit of the Recognizance entered into as aforesaid by the Prosecutor and shall have all the Remedies that may be necessary to enforce the same.

In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.

9. Nothing in the last Two Sections contained shall apply to an Indictment by a Private Prosecutor for the Publication of any

Two previous Sections not to apply

to an Indictment for a Libel published to extort.

Defamatory Libel published with Intent to extort any Money or Security for Money or any valuable Thing from such private Prosecutor or any other Person, or with Intent to induce such Private Prosecutor or any other Person to confer or procure for any Person any Appointment or Office of Profit or Trust.

The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

10. On the Trial of any Indictment or Information for a Defamatory Libel the Defendant shall be competent to give Evidence on his or her Behalf, and the Husband or Wife of such Defendant shall also be competent to give Evidence on behalf of the Defendant.

Part IV.

As to Pleadings in case of Libel.

The Truth of a Libel may be pleaded in a short Form.

11. In all Cases, Civil or Criminal, where a Defendant is or shall be allowed to plead the Truth of the Matters charged in the Defamatory Libel as a Justification or Defence, or Part of a Defence, it shall be sufficient for the Defendant to plead that the said alleged Libel is true in Substance and Matter of Fact, either alone or with such other Averments as is now or may hereafter be by Law required to be added to constitute a Defence to any Proceedings, Civil or Criminal, and to this Plea the Plaintiff or Prosecutor shall be at liberty to reply generally.

When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

12. When a Defendant shall plead the Truth of the Libel in the Form allowed by this Act, a Court or a Judge may, if they or he shall so think fit, on the Application of the Plaintiff, order the Defendant to give a Bill of Particulars of the Facts, Circumstances, or Acts on which he intends to rely in proof of his Plea, and on the Trial the Defendant shall not be at liberty to prove other Facts, Circumstances, or Acts than those mentioned in his Bill of Particulars.

Part V.

General Provisions.

Meaning of the Words "Public Newspaper."

13. The Words "Public Newspaper" in this Act shall be construed to mean any Newspaper duly registered at the Stamp Office in Westminster or Dublin, and none other.

Act not to affect pending Proceedings.

14. Nothing herein contained shall affect any Action or Prosecution which shall have been commenced before and shall be actually pending at the Time of the passing of this Act.

15. This

15. This Act shall not extend to Scotland. Act not to extend to Scotland.

16. For all Purposes this Act may be cited as "The Libel Act, 1867." Title of Act.

Libel.

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

To amend the Law of Libel.

(*Prepared and brought in by Sir Colman O'Loghlen and Mr. Baines.*)

Ordered, by The House of Commons, *to be Printed,* 25 *June* 1867.

[Bill 208.]

Under 1 *oz.*

Libel Bill.

[AS AMENDED IN COMMITTEE, ON RE-COMMITMENT, AND ON CONSIDERATION OF BILL AS AMENDED.]

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

As to Proceedings at Public Meetings:

Clauses.

1. No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.
2. Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not itself involving libellous Matter on any other Person.
3. A Speaker of Defamatory Matter not amounting to Slander liable in certain Cases to be sued as if same were printed or published.
4. The Privilege of Parliament or other Public Bodies, or of any Person, not be affected.

PART II.

As to Actions for Libel.

5. In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.
6. As to Costs when the Damages in an Action of Libel do not exceed Forty Shillings.

PART III.

As to Prosecutions for Libel.

7. To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute and pay Costs.
8. In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.
9. Two previous Sections not to apply to an Indictment for a Libel published to extort.
10. The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

PART IV.

As to Pleadings in case of Libel.

Clauses.

11. The Truth of a Libel may be pleaded in a short Form.
12. When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

PART V.

General Provisions.

13. Meaning of the Words "Public Newspaper."
14. Act not to affect pending Proceedings.
15. Act not to extend to Scotland.
16. Title of Act.

A

B I L L

[AS AMENDED IN COMMITTEE, ON RE-COMMITMENT, AND ON CONSIDERATION OF BILL AS AMENDED]

TO

Amend the Law of Libel.

WHEREAS it is expedient to amend the Law of Libel: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Part I.

As to Proceedings at Public Meetings.

1. In any Action or Prosecution for an alleged Libel in any Public Newspaper, Proof that the alleged Libel was a true and fair Report of the Proceedings at a Meeting lawfully assembled for a lawful Purpose, open to Reporters, and at which Reporters were present, for the Purpose of reporting such Proceedings for the Public Newspapers, and that the Report was published in any such Newspaper bonâ fide without actual Malice and in the ordinary Course of Business, shall amount to a Defence, and such Proof may in all Cases be given by the Defendant under the Plea of Not Guilty "by Statute." No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting.

Unless he shall refuse to publish a fair Reply to the Libel complained of, such Reply not involving libellous Matter on any other Person.

2. Provided always, That such Defence shall not be valid if it shall be proved that the Defendant declined or omitted, when required so to do, to publish in his Newspaper, and in a Mode as conspicuous as that in which the said alleged Libel was published, an Explanation or Contradiction of the alleged Libel, of not unreasonable Length, immediately after such Contradiction or Explanation shall have been furnished to the Defendant by or on behalf of the Plaintiff or Prosecutor; but no Defendant shall be bound to publish such Explanation or Contradiction if it shall contain libellous Matter, unless or until such libellous Matter shall be expunged on a Request in Writing for that Purpose being given to such Plaintiff or Prosecutor by the Defendant.

A Speaker of Defamatory Matter liable in certain Cases to be sued as if same were printed or published.

3. If any Person shall at any such Meeting as aforesaid speak any Defamatory Matter reflecting upon the Character or Circumstances of another, which shall afterwards be published in any Public Newspaper, and which, if written and published, would amount to a Libel, and such Person shall, upon Application in Writing made to him by the Person defamed, refuse or neglect forthwith to publish in the Public Newspaper in which the said Defamatory Matter was published or in some Public Newspaper, circulating in the Part of the Country in which such Meeting shall have been held, as may be selected by the Person defamed, a full Apology for having so spoken such Defamatory Matter, it shall be lawful for the Person defamed to proceed by Action for Libel against the Person who shall have so spoken such Defamatory Matter, and in such Action the Proceedings shall be in all respects the same as if such Defamatory Matter had been written and published by the Person who shall have so spoken the same.

The Privilege of Parliament or other Public Bodies, or of any Person, not to be affected.

4. Nothing herein contained shall be deemed or taken, held, or construed, directly or indirectly, by Interpretation or otherwise, to affect the Privilege of Parliament or of Courts of Justice, or of any other Public Body, or of any Person, entitled to Privilege, in any way whatever; and in any Action for Libel under this Act for Words spoken, the Defendant shall have the same Privilege that he would have had if the Action were an Action for Slander.

Part II.

As to Actions for Libel.

In Actions for Libel the Defendant may pay Money into Court in discharge of the Action.

5. In Actions for Libel the Defendant shall be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel, and such Payment into Court shall be of the same Effect, and available in the same Manner and to the same Extent, and shall be subject to the same Rules and Regulations

Regulations, as Payment of Money into Court is now available and subjected to in other Personal Actions.

As to Costs when the Damages in an Action of Libel do not exceed Forty Shillings.

6. In all Actions for Libel, where the Jury shall give Damages under Forty Shillings, the Plaintiff shall not be entitled to more Costs than Damages, unless the Judge before whom such Verdict shall be obtained shall immediately afterwards certify on the Back of the Record that the Libel was wilful and malicious.

Part III.

As to Prosecutions for Libel.

To entitle a private Prosecutor to send up an Indictment for Libel he must first go before a Justice and enter into a Recognizance to prosecute.

7. It shall not be lawful for a Private Prosecutor to prefer an Indictment for the Publication of a Defamatory Libel against any Person who shall not have been, previously to the said Indictment being preferred, bound by Recognizance or committed to Custody to answer the Charge stated in the said Indictment; and no Person shall be bound by Recognizance or committed to Custody to answer any Indictment for a Libel at the Suit of a Private Prosecutor, by any Justice or Justices of the Peace, unless such Prosecutor shall enter into a Recognizance before him or them, and which Recognizance the said Justice or Justices is and are hereby empowered to take, with Two solvent Sureties in such Sum as to the said Justice or Justices shall seem fit, that he will prefer an Indictment, and effectually prosecute the same, if it shall be thereafter found by a Grand Jury, and pay such Costs, if any, as shall be payable by him in respect of the same.

In certain Cases the Defendant shall be discharged from such Indictment, and shall get his Costs.

8. In case any Person against whom such Indictment shall be found shall appear and plead to the same, and the Prosecutor of such Indictment shall not within One whole Year next after Plea pleaded, or within such further Time as may be granted by any Court before which the Case is pending or may come on for Trial, procure the same to be tried, or if upon such Trial the Defendant shall be acquitted, or in case the Prosecutor shall procure a Nolle prosequi to be entered on such Indictment, then in any of such Cases the Defendant shall be discharged from all further Proceedings in respect of the alleged Libel charged in such Indictment, and shall be entitled to receive from such Prosecutor the Costs sustained by him by reason of said Indictment, unless the Judge before whom the Indictment shall be tried shall, immediately after the Verdict thereon, certify on the Back of the Record that the Prosecutor had reasonable Cause for preferring such Indictment; and for the Recovery of his Costs the Defendant shall be entitled to the Benefit of the Recognizance entered into as aforesaid by the Prosecutor and shall have all the Remedies that may be necessary to enforce the same.

 9. Nothing

Two previous Sections not to apply to an Indictment for a Libel published to extort.

9. Nothing in the last Two Sections contained shall apply to an Indictment by a Private Prosecutor for the Publication of any Defamatory Libel published with Intent to extort any Money or Security for Money or any valuable Thing from such private Prosecutor or any other Person, or with Intent to induce such Private Prosecutor or any other Person to confer or procure for any Person any Appointment or Office of Profit or Trust.

The Defendant at the Trial of an Indictment or Information for Libel may be a Witness, and so also may be the Defendant's Wife or Husband.

10. On the Trial of any Indictment or Information for a Defamatory Libel the Defendant shall be competent to give Evidence on his or her Behalf, and the Husband or Wife of such Defendant shall also be competent to give Evidence on behalf of the Defendant.

Part IV.

As to Pleadings in case of Libel.

The Truth of a Libel may be pleaded in a short Form.

11. In all Cases, Civil or Criminal, where a Defendant is or shall be allowed to plead the Truth of the Matters charged in the Defamatory Libel as a Justification or Defence, or Part of a Defence, it shall be sufficient for the Defendant to plead that the said alleged Libel is true in Substance and Matter of Fact, either alone or with such other Averments as is now or may hereafter be by Law required to be added to constitute a Defence to any Proceedings, Civil or Criminal, and to this Plea the Plaintiff or Prosecutor shall be at liberty to reply generally.

When so pleaded the Plaintiff may get a Bill of Particulars of what is intended to be relied upon by the Defendant.

12. When a Defendant shall plead the Truth of the Libel in the Form allowed by this Act, a Court or a Judge may, if they or he shall so think fit, on the Application of the Plaintiff, order the Defendant to give a Bill of Particulars of the Facts, Circumstances, or Acts on which he intends to rely in proof of his Plea, and on the Trial the Defendant shall not be at liberty to prove other Facts, Circumstances, or Acts than those mentioned in his Bill of Particulars.

Part V.

General Provisions.

Meaning of the Words "Public Newspaper."

13. The Words "Public Newspaper" in this Act shall be construed to mean any Newspaper duly registered at the Stamp Office in Westminster or Dublin, and none other.

Act not to affect pending Proceedings.

14. Nothing herein contained shall affect any Action or Prosecution which shall have been commenced before and shall be actually pending at the Time of the passing of this Act.

15. This

15. This Act shall not extend to Scotland. Act not to extend to Scotland.

16. For all Purposes this Act may be cited as "The Libel Act, 1867." Title of Act.

Libel.

A

BILL

[AS AMENDED IN COMMITTEE, ON RE-COMMITMENT, AND ON CONSIDERATION OF BILL AS AMENDED]

To amend the Law of Libel.

(*Prepared and brought in by Sir Colman O'Loghlen and Mr. Baines.*)

Ordered, by The House of Commons, *to be Printed*, 28 *June* 1867.

[Bill 215.]

Under 1 *oz.*

Life Policies Nomination Bill.

ARRANGEMENT OF CLAUSES.

Clause.

Preamble.

1. Short Title of Act.
2. Nomination of Policies by Endorsement.
3. Nomination to be produced and acknowledged by Society.
4. Nomination to be valid against subsequent Charges or Assignment.
5. Nomination not to affect previous Trusts.
6. Nominator may not revoke his Nomination.
7. Nomination to be void on Death of the Nominee.
8. Interest of Nominees not assignable.
9. Policy subject to Nomination may be reduced.
10. Receipt of Nominee to be a good Discharge.
11. Societies to be accountable to the Crown for Succession Duty.
12. Bonus accruing of Policy to be added to the Sum insured.
13. Act to apply to Insurances effected under 27 & 28 Vict. c. 43.
14. Interpretation of Terms.

SCHEDULE.

A

B I L L

TO

Enable Persons to secure to their Wives and Children the Benefit of Assurances on their Lives by Nomination endorsed on the Policy.

WHEREAS it is expedient that Persons should be enabled to secure to their Wives and Children the Benefit of Assurances on their Lives by Nomination endorsed on the Policy: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited for all Purposes as "The Life Policies Nomination Act, 1867." Short Title.

2. Any Person who before the *passing of this Act* has effected, or after the passing of this Act shall effect, a Policy of Assurance upon his Life with any Society for the Assurance of Lives established in Great Britain or Ireland, may by Writing under his Hand, endorsed upon such Policy, nominate his Wife or any One or more of his Children, jointly or otherwise, to receive the Monies payable under the Policy. Persons may be nominated by Endorsement on a Life Policy to receive the Monies assured thereby.

Nomination to be produced and acknowledged by Society.

3. Every such Nomination shall specify each Nominee by his Christian and Surname, and, if an Infant, the Date of his Birth, and shall be signed by the Nominator in the Presence of One attesting Witness, and shall be produced at the Office of the Society liable to pay the Policy by the Nominator, and thereupon the Secretary or other Officer of the Society authorized in that Behalf shall sign an Acknowledgment of such Nomination in the Form contained in the Schedule hereto, and the Date of such Acknowledgment shall be deemed the Date of the Nomination, and the Society may charge for each such Acknowledgment a Fee not exceeding *Two Shillings and Sixpence.*

Nomination to be valid against subsequent Charges or Assignment.

4. After any Policy shall have been endorsed with a Nomination in pursuance of this Act, it shall not be competent to the Nominator to assign, mortgage, charge, or encumber, or to surrender it to the Society for Value, in such Manner as to defeat or prejudice such Nomination, and after the Death of the Nominator the Money payable in respect of the said Nomination shall be absolutely free from any Claims of his Creditors, and shall be paid by the Society as directed in the Nomination, and not otherwise: Provided always, that if the Nominator becomes bankrupt within One Year after the Date of such Nomination, or dies leaving his Estate insolvent, the Nomination shall be void.

Nomination not to affect previous Trusts.

5. A Nomination under this Act shall be void as against any Assignment of the Policy, or any Covenant or Trust affecting the same, made or declared before the Date of such Nomination, and whereof Notice has been previously given to the Society wherewith such Policy is effected.

Nominator shall not revoke his Nomination, but in case of Death may substitute other Nominees.

6. Nominations made under this Act shall not be revoked in favour of the Nominator, but in the Case of the Death of any Nominee the Nominator may substitute in place of the Nominee so dying any other Person whom, under the Provisions hereof, he might then originally nominate; and in the Case of a Nomination in favour of any Child, the Nominator may from Time to Time substitute the Name of any other Child as the Nominee, solely, or jointly with those previously nominated, of the Monies affected by such Nomination, so that all such Substitutions or Additions shall be made in like Manner as original Nominations.

Nomination void on Death of Nominee before Nominator.

7. If a Nominee under this Act dies before the Nominator, and the Nominator does not exercise his Right of Substitution, as hereinbefore provided, so much of the Nomination as refers to the deceased Nominee shall be void.

8. The

8. The Interest of any Nominee in the Monies secured by any such Policy shall be incapable of Assignment either at Law or in Equity. Interests of Nominees not assignable.

9. When any Person having endorsed a Policy with a Nomination under this Act becomes unable at any Time thereafter to pay the Premiums due in respect of such Policy, and the Nominee or Nominees is or are unable or unwilling to pay the said Premiums, the Society by which the Policy is payable may, upon Application in Writing by the Nominator stating his Inability to pay, substitute for the Sum expressed on the Face of such Policy as assured thereby a Sum which shall be less than the same in consideration of the Remission of all future Premiums or any Part thereof. Policy subject to Nomination may be reduced.

10. The Receipt of any Nominee, or of the Guardian of any Infant Nominee, or of the Committee of any Lunatic Nominee, shall be an effectual Discharge for the Sum payable to him in virtue of such Nomination. Receipt of Nominee to be a good Discharge.

11. The Society with whom any Policy which shall be endorsed with a Nomination in pursuance of this Act has been effected shall be Persons accountable to the Crown within the Meaning of Section Forty-four of "The Succession Duty Act, 1863." Societies accountable for Succession Duty.

12. If any Bonus or Sum in the Nature of Bonus accrues in respect of a Policy endorsed with a Nomination, the same or its Equivalent shall be added to the Amount insured, and shall go and be paid as Part thereof, and shall be distributed rateably among the Nominees or other Persons interested. Bonus on Policy to be added to Sum insured.

13. The Provisions of this Act shall apply to any Policy of Life Insurance effected under the Act of Twenty-seventh and Twenty-eighth Victoria, Chapter Forty-three, and the Persons thereby authorized to issue Policies of Insurance shall be included in the Term "Society" as used in this Act. Act to apply to Insurances effected under 27 & 28 Vict. c. 43.

14. The following Terms shall in this Act have the Meanings herein-after assigned to them: Interpretation of Terms:

"Society" shall mean any Company, Corporation, Person or Persons carrying on the Business of Life Insurance: "Society:"

"Nomination" shall mean any Endorsement on a Policy made in pursuance of this Act: "Nomination:"

"Nominator" shall mean the Person effecting a Nomination of a Policy of Insurance on his Life: "Nominator:"

"Nominee" shall mean the Person in whose Favour a Nomination shall be made. "Nominee."

SCHEDULE herein referred to.

ACKNOWLEDGMENT OF NOMINATION.

The above Nomination was produced the
Day of before me,
Officer of the Life Assurance Society.

5

Life Policies Nomination.

A

B I L L

To enable Persons to secure to their Wives and Children the Benefit of Assurances on their Lives by Nomination endorsed on the Policy.

(Prepared and brought in by Mr. Shaw Lefevre, Mr. Hibbert, and Mr. Thomas Hughes.)

Ordered, by The House of Commons, *to be Printed,* 18 *June* 1867.

[Bill 201.]

Under 1 *oz.*

419

Limerick Harbour (Composition of Debt) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short Title.
2. Commencement of Act.
3. Interpretation of Terms.
4. Manner of compounding the said Debt of Two hundred and thirty thousand Pounds and upwards.
5. Mode of Payment of compounded Debt.
6. Nature of Treasury Deed.
7. Wellesley Bridge to be vested in Commissioners of Public Works.
8. Bridge Tolls to be paid.
9. Power to Commissioners to sell Wellesley Bridge.
10. Power to Commissioners to let Wellesley Bridge.
11. On Payment of Debt Wellesley Bridge to be Toll free.
12. Certain Sections in recited Acts repealed.
13. Harbour Commissioners may borrow Money for Graving Dock and to improve Habour.
14. For Payment of Debt to Sir T. Deane.
15. Proceedings for Recovery of Annuity.
16. Court of Chancery to appoint Receiver over Tolls.
17. Commissioners to reimburse themselves for Costs, &c.
18. Public Act.

SCHEDULES.

A

BILL

TO

Authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes.

Preamble.

WHEREAS, with the Consent and Approbation of the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland (herein-after called "the Commissioners of Her Majesty's Treasury"), the late Loan Commissioners for the Advance of Money out of the Consolidated Fund, pursuant to the Act of the Fifty-seventh of George the Third, Chapter Thirty-four, and Acts amending same, for the Encouragement by way of Loan of Public Works in Great Britain and Ireland, and the Commissioners of Public Works in Ireland (herein-after called "the Commissioners of Public Works"), have at various Periods

since the Year One thousand eight hundred and twenty-four advanced out of the Consolidated Fund, under the Authority of the Acts (Public) of the Third of George the Third, Chapter One hundred and twelve, the Fifty-seventh of George the Third, Chapter Thirty-four, and First and Second of William the Fourth, Chapter Thirty-three, divers Sums of Money, amounting in the whole to the Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence, to the Limerick Bridge Commissioners, and their Successors, the Limerick Harbour Commissioners, who were from Time to Time respectively authorized to borrow Money under the Powers of the Acts (Public and Local) of the Fourth of George the Fourth, Chapter Ninety-four, Fourth and Fifth of William the Fourth, Chapter Eighty-four, and Tenth and Eleventh Years of Her Majesty, Chapter One hundred and ninety-eight, (herein-after called the recited Acts,) for the Purpose of erecting a Bridge at Limerick called "Wellesley Bridge," and of forming certain floating and other Docks and Works for the Improvement of the Port of Limerick, and such Sums were advanced from Time to Time on the Security of certain Indentures of Mortgage of the Rates and Duties authorized to be levied from Time to Time in the Port of Limerick, and on the Tolls levied from Time to Time on Wellesley Bridge, under the Powers of the recited Acts or some of them:

And whereas that Portion of the said Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence advanced by the late Loan Commissioners was afterwards transferred to and became vested in the Commissioners of Public Works, under and by virtue of the Provisions of the Act of the First and Second of William the Fourth, Chapter Thirty-three:

And whereas there is a Sum of Two hundred and thirty thousand Pounds and upwards remaining due to the Commissioners of Public Works in respect of such Advances, including Interest, (after deducting the Payments annually made in respect of Principal and Interest,) and the said Commissioners of Public Works are now and have been for some Years in possession as Mortgagees of the Tolls, Rates, and Duties levied in the said Harbour, to secure the Payment of the Debt and Interest due thereon:

And whereas Wellesley Bridge has been for some Years completed, and opened for public Traffic, by means of a Part of the Principal Money so advanced out of the Consolidated Fund, and the Commissioners of Public Works, as Mortgagees, are in possession of the Tolls annually taken thereon:

And whereas the Tolls, Rates, and Duties heretofore payable in respect of the said Bridge, and imposed on the said Port and Harbour of Limerick, have not only proved insufficient to pay the Principal

Principal and Interest of the said Debts respectively, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said Port to compete with rival Ports on more favourable Terms, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt:

And whereas the Limerick Harbour Commissioners have applied for an Act (the Short Title of which is "The Limerick Harbour Act, 1867,") to authorize them to levy certain Tolls, Harbour Rates, and Duties in lieu of the Tolls, Rates, and Duties heretofore authorized, so as to provide sufficient Means (after Charges for Maintenance, as herein-after mentioned,) to secure the Payment of the Annuity by this Act authorized, and also to alter the Constitution of their Body, and for other Purposes; but such Powers are not to be put into force until this Act comes into operation:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Limerick Harbour (Composition of Debt) Act, 1867."

Commencement of Act.

2. This Act shall commence and take effect from and immediately after the *passing* of the same.

Interpretation of Terms:

3. In this Act—

Commissioners of Her Majesty's Treasury:

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being:

Limerick Harbour Commissioners:

The Term "the Limerick Harbour Commissioners" means the Limerick Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the said Limerick Harbour Act, 1867:

Commissioners of Public Works:

The Term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland for the Time being:

Harbour Rates.

The Term "Harbour Rates" includes all Rates and Duties leviable from Time to Time in the Port and Harbour of Limerick under "The Limerick Harbour Act, 1867."

Manner of compounding the said Debt of Two hundred and thirty thousand Pounds and upwards.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any *Two* or more of such Commissioners, and under the Common Seal of the Limerick Harbour Commissioners, to compound the said several Debts due by the Limerick Harbour Commissioners, as follows; viz., that the Debt due and owing in respect of the Sums advanced from Time to Time as aforesaid shall be assumed to be and shall be taken at the Sum of *Sixty-five thousand* Pounds.

Mode of Payment of compounded Debt.

5. Of the said Sum of *Sixty-five thousand* Pounds, the Sum of *Fifty-five thousand* Pounds, deducting therefrom any Sum which may have accrued from Harbour Dues after paying Maintenance and other Charges connected with the Harbour after the First Day of July One thousand eight hundred and sixty-six, shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge calculated at the Rate of 4·0729 per Centum Principal and Interest, the same to be paid by half-yearly Instalments, for a Period of *Fifty* Years, on every First Day of May and First Day of November in each Year, commencing on whichever of the said Gale Days shall first follow the passing of this Act, the said Annuity to be chargeable and charged upon the Harbour Tolls, Rates, and Duties, and upon all Lands and Property of the Harbour Commissioners, and the remaining Sum of *Ten* thousand Pounds shall be a *First* Charge upon Wellesley Bridge at *Three and a Quarter* per Centum per Annum, as herein-after mentioned.

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument, to be executed as aforesaid, such additional Terms, Conditions, and Agreements as the Commissioners of Her Majesty's Treasury may think proper to require and insert therein, and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect, to all Intents and Purposes, as if the same had been contained in this Act.

Wellesley Bridge to be vested in Commissioners of Public Works.

7. The said Bridge called Wellesley Bridge, together with the Tolls payable thereout, shall be vested in the Commissioners of Public Works and their Successors, Commissioners for the Time being; and the Tolls and Receipts of the said Bridge, by this or any other Act authorized, shall be applied by the said Commissioners, in the first instance, in defraying the necessary Costs of Collection thereof, the Costs of the Maintenance and Repairs and Approaches thereto, the Charges and Maintenance of the Swivel Bridge connected therewith, also Lighting and such other Expenses as the said

said Commissioners may think necessary and requisite to incur; secondly, in paying Interest on the said Sum of *Ten thousand* Pounds, at the Rate of *Three and a Quarter* per Centum per Annum, at such Times and in such Instalments as the said Commissioners shall from Time to Time appoint and direct; and, thirdly, the Balance or Overplus (if any) from Time to Time to be applied as it may accrue in Reduction of the said Principal Sum of *Ten thousand* Pounds.

Bridge Tolls to be paid.

8. From and after the *passing of this Act*, there shall be paid, for the Use of the Commissioners of Public Works, in the Nature of Tolls, before any Passage over the said Bridge shall be permitted, any Sum which the said Commissioners of Public Works shall direct, not exceeding the Tolls in Schedule C. to this Act annexed, being the Tolls provided by the Act of the Tenth and Eleventh Victoria, Chapter One hundred and ninety-seven.

Power to Commissioners to sell Wellesley Bridge.

9. It shall be lawful for the Commissioners of Public Works, with the Sanction of the Commissioners of the Treasury, at any Time to sell, transfer, and dispose of the said Bridge, Approaches, and Swivel Bridge to any Grand Jury or Grand Juries, or any other public Body or Bodies, at and for the said Sum of *Ten thousand* Pounds, or any Balance of the said Sum which may remain due in respect thereof at the Time of such Sale, it being provided that on such Sale, Transfer, or Disposition being made the said Bridge shall be Toll-free to the Public, and that Provision shall be made for the future due and proper Maintenance of the said Bridge and Approaches thereto, and the Swivel Bridge, in such Manner as may be required by the said Commissioners of the Treasury.

Power to Commissioners to let Wellesley Bridge.

10. It shall be lawful for the said Commissioners of Public Works, from Time to Time, so long as the said Sum of *Ten thousand* Pounds, and the Interest thereon, or any Part of either, remain due and owing, to demise or let the Tolls and Rates of the said Bridge, subject to such Conditions and Restrictions as the said Commissioners may approve.

On Payment of Debt Wellesley Bridge to be Toll-free.

11. From and after the Payment of the said Sum of *Ten thousand* Pounds, and Interest thereon, by such Instalments as aforesaid, or otherwise, and when and so soon as Provision shall be made, to the Satisfaction of the Commissioners of Public Works, for the due and proper Maintenance of the said Bridge and Approaches, and Swivel Bridge, the said Bridge shall be Toll-free to the Public, and be

vested in such Grand Jury or Grand Juries, or other public Body or Bodies, so purchasing as aforesaid; and in the event of these Bodies declining to take the said Bridge then the said Tolls and Rates shall continue to be payable, and the said Commissioners of Public Works shall be authorized to demand and receive the same.

Certain Sections in recited Acts repealed.

12. From and after the Date of the Execution of such Deed or Instrument by this Act authorized, the Thirty-fourth, Thirty-fifth, Thirty-sixth, Thirty-seventh, and Thirty-eighth Sections of the Act of the Fourth of George the Fourth, Chapter Ninety-four, and the Eleventh and Twenty-first Sections of the Act of the Fourth and Fifth of William the Fourth, Chapter Eighty-four, and the Tenth, Eleventh, Twelfth, Nineteenth, Twentieth, Twenty-third, Twenth-fifth, and Twenty-ninth Sections of the Act of the Tenth and Eleventh Victoria, Chapter One hundred and ninety-eight, shall be and the same are hereby repealed.

Harbour Commissioners may borrow Money for Graving Dock and to improve Harbour.

13. It shall be lawful for the Public Works Loan Commissioners, after the Execution of the said Deed or Instrument, at any Time to lend to the Harbour Commissioners any Sum of Money, not exceeding *Twenty thousand* Pounds, by way of Annuity or otherwise, in accordance with the Provisions of the "General Pier and Harbour Act, 1861," for the Purpose of enabling the Harbour Commissioners to improve the said Port, and to construct a Graving Dock therein on any Land belonging to the said Harbour Commissioners situate in the said Port, and it shall be lawful for the Harbour Commissioners to make such Improvements in the said Port, and to construct such Dock, and to take Land by Agreement for that Purpose: Provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to the Board of Trade, and on the said Board granting a Certificate in Writing, from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Public Works Loan Commissioners may advance to the Harbour Commissioners the Sums stated in such Certificates respectively, not exceeding in the whole the Sum of Twenty thousand Pounds, and such Sum or Sums so advanced from Time to Time, or the Annuity or Annuities granted for the same, shall be a First Charge on the Harbour Rates authorized to be levied in the Port of Limerick under the "Limerick Harbour Act, 1867," in priority to the said Annuity payable in respect

respect of the said Sum of *Fifty-five* thousand Pounds or other less Sum as aforesaid.

For Payment of Debt to Sir T. Deane.

14. And whereas a Sum of Three thousand seven hundred and seventy-nine Pounds Nine Shillings and One Penny is due to Sir Thomas Deane, connected with Works executed by him in respect of the Improvement of the Port of Limerick, which Debt stands in priority of the said Charge of Two hundred and thirty thousand Pounds upon the Harbour Rates; but, notwithstanding such Priority, Payments have been made to Her Majesty's Exchequer in reduction of the Public Debt: And whereas, without discharging the Debt so due to the said Sir Thomas Deane, the Annuities hereby made chargeable upon the Harbour Tolls, Rates, and Dues, and upon all Land and Property of the Harbour Commissioners, could not in Equity form the First Charge upon the same, it shall therefore be lawful for the said Public Works Loan Commissioners, and they are hereby empowered, in addition to the said Sum of *Twenty* thousand Pounds, and subject to the same Conditions in regard to Repayment, to lend to the said Harbour Commissioners a Sum not exceeding *Three thousand seven hundred and seventy-nine* Pounds *Nine* Shillings and *One* Penny, to be by them applied in Payment of the Sum so due to the said Sir Thomas Deane in priority to any Part of the said Sum of Twenty thousand Pounds being borrowed by the said Harbour Commissioners.

Proceedings for Recovery of Annuity.

15. If Default shall be made in Payment of the said first-mentioned Annuity or Rentcharge as herein-before provided, it shall be lawful for the Commissioners of Public Works to proceed for the Recovery thereof by all or any of the Means provided for the Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second of William the Fourth, Chapter Thirty-three, entitled "An Act for the Extension "and Promotion of Public Works in Ireland," in like Manner in all respects as if the said Tolls, Rates, Duties, or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

Court of Chancery to appoint Receiver over Tolls.

16. And it shall also be lawful for the Court of Chancery in Ireland, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Tolls, Rates, and Duties, and of the Rents and Profits of all other Premises chargeable with the said first-mentioned

Annuity or Rentcharge; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Tolls, Rates, and Duties; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

17. It shall be lawful for the said Commissioners of Public Works, out of the said Tolls, Rates, and Duties, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them, or any Officer or Servants employed by them, in the Execution of this Act.

Public Act.

18. This Act shall be a Public Act, and shall be judicially taken notice of.

The

The SCHEDULES herein referred to.

SCHEDULE A.

Form of Grant of Annuity.

Grant Annuity, £

By virtue of the Powers of the "Limerick Harbour Act, 1867," and the "Limerick Harbour (Composition of Debt) Act, 1867," we, the Limerick Harbour Commissioners, in consideration of the Sum of accepted by the Commissioners of Her Majesty's Treasury in lieu of the Sum of Pounds, do grant unto the said Commissioners of Her Majesty's Treasury an Annuity or yearly Sum of Pounds, to be issuing out of the Harbour Rates payable under the "Limerick Harbour, Act, 1867," such Sum to be paid to the Commissioners of Public Works, or any Person duly authorized by them, in half-yearly Instalments on the Day of in 186 , and on the Day of and on the Day of in every succeeding Year, until the said Sum of Pounds, and Interest thereon, be duly paid.

In witness whereof we have hereunto set our Common Seal, this Day of 186 .

SCHEDULE B.

The Commissioners of Her Majesty's Treasury do hereby acknowledge, that, in accordance with the Terms of "The Limerick Harbour Act, 1867," and "The Limerick Harbour (Composition of Debt) Act, 1867," they do hereby accept the Sum of *Fifty-five thousand* Pounds, secured to them by the Annuity granted to them, under the Authority of those Acts respectively, by the Limerick Harbour Commissioners, charged on the Harbour Rates to be levied under the "Limerick Harbour Act, 1867," and by the Transfer of Wellesley Bridge to the Commissioners of Public Works, or other Public Body on their Behalf, in full Satisfaction and Payment of the Debt and Interest, amounting to *Two hundred and thirty thousand* Pounds and upwards, due to the said Commissioners of Her Majesty's Treasury, or to the Commissioners of Public Works on their Behalf, and secured on the Tolls, Rates, and Duties heretofore levied in the Harbour of Limerick, and on other Property belonging to the Limerick Harbour Commissioners, and do hereby declare the said Harbour, Docks, and Works, and the Rates and Duties and other Property of the Limerick Harbour Commissioners now to be for ever freed and discharged of the said Debt and Interest of *Two hundred and thirty thousand* Pounds and upwards, and of the Security created or confirmed by the said Mortgages

respectively, granted to the Commissioners of Public Works under the recited Acts or any of them, and the said Commissioners of Her Majesty's Treasury hereby consent to the Registration hereof in Dublin for Preservation at

In witness whereof, these Presents are subscribed by us, *Two* of the said Commissioners, at London, the Day of , in the Year One thousand eight hundred and sixty- , before these Witnesses.

SCHEDULE (C.)

Bridge Tolls.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of *One Penny.*

For every Score of Oxen or Neat Cattle, the Sum of *One Shilling and Sixpence,* and so in proportion for any greater or less Number.

For every Score of Calves, Sheep, Goats, Lambs, or Swine, the Sum of *Fivepence,* and so in proportion for any greater or less Number.

For Six or more Horses or other Beasts of Draught drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricle, Chair, Caravan, Hearse, Litter, or other such Carriage, the Sum of *One Shilling and Tenpence.*

For Three, Four, or Five Horses or other Beasts of Draught drawing any such Carriage, the Sum of *One Shilling and Fourpence.*

For Two Horses or other Beasts of Draught drawing any such Carriage, the Sum of *Elevenpence.*

For One Horse or other Beast of Draught drawing any such Carriage, the Sum of *Sixpence.*

For Four or more Horses or any Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of *Elevenpence.*

For Three or fewer Horses or other Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of *Sixpence.*

For Two or more Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of *Fourpence.*

For One Horse or other Beast of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of *Twopence.*

For every Passenger passing over the said Bridge, the Sum of *One Halfpenny* for each and every Time of passing, except such Person or Persons as shall be driven in any Coach, Chariot, Berlin, Chaise, Chair, or Calash, and the Driver or Drivers thereof, and the Footman or Footmen, Servant or Servants thereof, standing behind the same, and except the Driver or Drivers of any Cart, Car, or Waggon, and any Person riding on any Horse, Mule, or Ass.

Limerick Harbour (Composition of Debt).

A

B I L L

To authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes.

(*Prepared and brought in by Mr. Dodson, Lord Naas, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed,* 9 *April* 1867.

[Bill 117.]

Under 2 *oz.*

Limerick Harbour (Composition of Debt) Bill.

[AS AMENDED BY THE SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clauses.

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3. Interpretation of Terms.
4. Manner of compounding the said Debt of Two hundred and thirty thousand Pounds and upwards.
5. Mode of Payment of compounded Debt.
6. Nature of Treasury Deed.
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8. Bridge Tolls to be paid.
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10. Power to Commissioners to let Wellesley Bridge.
11. On Payment of Debt Wellesley Bridge to be Toll free.
12. Certain Sections in recited Acts repealed.
13. Harbour Commissioners may borrow Money for Graving Dock and to improve Habour.
14. For Payment of Debt to Sir T. Deane.
15. Proceedings for Recovery of Annuity.
16. Court of Chancery to appoint Receiver over Tolls.
17. Commissioners to reimburse themselves for Costs, &c.
18. Public Act.

SCHEDULES.

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes.

WHEREAS, with the Consent and Approbation of the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland (herein-after called "the Commissioners of Her Majesty's Treasury"), the late Loan Commissioners for the Advance of Money out of the Consolidated Fund, pursuant to the Act of the Fifty-seventh of George the Third, Chapter Thirty-four, and Acts amending same, for the Encouragement by way of Loan of Public Works in Great Britain and Ireland, and the Commissioners of Public Works in Ireland (herein-after called "the Commissioners of Public Works"), have at various Periods since Preamble.

since the Year One thousand eight hundred and twenty-four advanced out of the Consolidated Fund, under the Authority of the Acts (Public) of the Third of George the Third, Chapter One hundred and twelve, the Fifty-seventh of George the Third, Chapter Thirty-four, and First and Second of William the Fourth, Chapter Thirty-three, divers Sums of Money, amounting in the whole to the Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence, to the Limerick Bridge Commissioners, and their Successors, the Limerick Harbour Commissioners, who were from Time to Time respectively authorized to borrow Money under the Powers of the Acts (Public and Local) of the Fourth of George the Fourth, Chapter Ninety-four, Fourth and Fifth of William the Fourth, Chapter Eighty-four, and Tenth and Eleventh Years of Her Majesty, Chapter One hundred and ninety-eight, (herein-after called the recited Acts,) for the Purpose of erecting a Bridge at Limerick called "Wellesley Bridge," and of forming certain floating and other Docks and Works for the Improvement of the Port of Limerick, and such Sums were advanced from Time to Time on the Security of certain Indentures of Mortgage of the Rates and Duties authorized to be levied from Time to Time in the Port of Limerick, and on the Tolls levied from Time to Time on Wellesley Bridge, under the Powers of the recited Acts or some of them:

And whereas that Portion of the said Sum of One hundred and seventy-nine thousand three hundred and eighty-four Pounds Twelve Shillings and Fourpence advanced by the late Loan Commissioners was afterwards transferred to and became vested in the Commissioners of Public Works, under and by virtue of the Provisions of the Act of the First and Second of William the Fourth, Chapter Thirty-three:

And whereas there is a Sum of Two hundred and thirty thousand Pounds and upwards remaining due to the Commissioners of Public Works in respect of such Advances, including Interest, (after deducting the Payments annually made in respect of Principal and Interest,) and the said Commissioners of Public Works are now and have been for some Years in possession as Mortgagees of the Tolls, Rates, and Duties levied in the said Harbour, to secure the Payment of the Debt and Interest due thereon:

And whereas Wellesley Bridge has been for some Years completed, and opened for public Traffic, by means of a Part of the Principal Money so advanced out of the Consolidated Fund, and the Commissioners of Public Works, as Mortgagees, are in possession of the Tolls annually taken thereon:

And whereas the Tolls, Rates, and Duties heretofore payable in respect of the said Bridge, and imposed on the said Port and Harbour of Limerick, have not only proved insufficient to pay the Principal

Principal and Interest of the said Debts respectively, but have prejudiced the Development of the Trade and Commerce of the said Port and Harbour:

And whereas it is expedient to relieve the said Port and Harbour from a Portion of the said Debt, so as to enable the said Port to compete with rival Ports on more favourable Terms, and for that Purpose to enable the Commissioners of Her Majesty's Treasury to compound the said Debt:

And whereas the Limerick Harbour Commissioners have applied for an Act (the Short Title of which is "The Limerick Harbour Act, 1867,") to authorize them to levy certain Tolls, Harbour Rates, and Duties in lieu of the Tolls, Rates, and Duties heretofore authorized, so as to provide sufficient Means (after Charges for Maintenance, as herein-after mentioned,) to secure the Payment of the Annuity by this Act authorized, and also to alter the Constitution of their Body, and for other Purposes; but such Powers are not to be put into force until this Act comes into operation:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The Limerick Harbour (Composition of Debt) Act, 1867."

Commencement of Act.

2. This Act shall commence and take effect from and immediately after the passing of the same.

Interpretation of Terms:

3. In this Act—

Commissioners of Her Majesty's Treasury:

The Term "the Commissioners of Her Majesty's Treasury" means the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the Time being:

Limerick Harbour Commissioners:

The Terms "the Limerick Harbour Commissioners" and "the Harbour Commissioners" mean the Limerick Harbour Commissioners heretofore elected and appointed, and their Successors, when from Time to Time elected and appointed under the said Limerick Harbour Act, 1867:

Commissioners of Public Works:

The Term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland for the Time being:

Harbour Rates.

The Term "Harbour Rates" includes all Rates and Duties leviable from Time to Time in the Port and Harbour of Limerick under "The Limerick Harbour Act, 1867."

Manner of compounding the said Debt of Two hundred and thirty thousand Pounds and upwards.

4. It shall be lawful for the Commissioners of Her Majesty's Treasury, by any Deed or Instrument to be executed at any Time after the passing of this Act, under the Hands of any Two or more of such Commissioners, and under the Common Seal of the Limerick Harbour Commissioners, to compound the said several Debts due by the Limerick Harbour Commissioners, as follows; viz., that the Debt due and owing in respect of the Sums advanced from Time to Time as aforesaid shall be assumed to be and shall be taken at the Sum of Sixty-five thousand Pounds, and the same shall be recorded in the Form in Schedule B. to this Act annexed.

Mode of Payment of compounded Debt.

5. Of the said Sum of Sixty-five thousand Pounds, the Sum of Fifty-five thousand Pounds, deducting therefrom any Sum which may have accrued from Harbour Dues after paying Maintenance and other Charges connected with the Harbour after the First Day of July One thousand eight hundred and sixty-six, shall be paid to the Commissioners of Public Works by an Annuity or annual Rentcharge calculated at the Rate of 4·0729 per Centum Principal and Interest, the same to be paid by half-yearly Instalments, for a Period of Fifty Years, on every First Day of May and First Day of November in each Year, commencing on the First Day of May One thousand eight hundred and sixty-eight, the said Annuity to be in the Form, as near as may be, in Schedule A. to this Act annexed, and to be chargeable and charged upon the Harbour Tolls, Rates, and Duties, and upon all Lands and Property of the Harbour Commissioners, and the remaining Sum of Ten thousand Pounds shall be a First Charge upon Wellesley Bridge at Three and a Quarter per Centum per Annum, as herein-after mentioned: Provided always, that it shall be lawful for the Commissioners of Public Works, out of the Money in their Hands received or to be received in respect of the Harbour Rates on account of the Limerick Harbour Commissioners from the Date of the last Payment into the Exchequer, to pay to the Harbour Commissioners the Sum of One thousand five hundred Pounds, to be applied by them to the Purposes of this Act and "The Limerick Harbour Act, 1867."

Nature of Treasury Deed.

6. In addition to the Clauses and Provisions herein-after imposed, there shall and may be contained in such Deed or Instrument, to be executed as aforesaid, such additional Terms, Conditions, and Agreements as the Commissioners of Her Majesty's Treasury may think proper to require and insert therein, and such Terms, Conditions, and Agreements so inserted in such Deed shall have the same Effect, to all Intents and Purposes, as if the same had been contained in this Act.

7. The

7. The said Bridge called Wellesley Bridge, together with the Tolls payable thereout, shall be vested in the Commissioners of Public Works and their Successors, Commissioners for the Time being; and the Tolls and Receipts of the said Bridge, by this or any other Act authorized, shall be applied by the said Commissioners, in the first instance, in defraying the necessary Costs of Collection thereof, the Costs of the Maintenance and Repairs and Approaches thereto, the Charges and Maintenance of the Swivel Bridge connected therewith, also Lighting and such other Expenses as the said Commissioners may think necessary and requisite to incur; secondly, in paying Interest on the said Sum of Ten thousand Pounds, at the Rate of Three and a Quarter per Centum per Annum, at such Times and in such Instalments as the said Commissioners shall from Time to Time appoint and direct; and, thirdly, the Balance or Overplus (if any) from Time to Time to be applied as it may accrue in Reduction of the said Principal Sum of Ten thousand Pounds.

Wellesley Bridge to be vested in Commissioners of Public Works.

8. From and after the passing of this Act, there shall be paid, for the Use of the Commissioners of Public Works, in the Nature of Tolls, before any Passage over the said Bridge shall be permitted, any Sum which the said Commissioners of Public Works shall direct, not exceeding the Tolls in Schedule C. to this Act annexed, being the Tolls provided by the Act of the Tenth and Eleventh Victoria, Chapter One hundred and ninety-seven.

Bridge Tolls to be paid.

9. It shall be lawful for the Commissioners of Public Works, with the Sanction of the Commissioners of the Treasury, at any Time to sell, transfer, and dispose of the said Bridge, Approaches, and Swivel Bridge to any Grand Jury or Grand Juries, or any other public Body or Bodies, at and for the said Sum of Ten thousand Pounds, or any Balance of the said Sum which may remain due in respect thereof at the Time of such Sale, it being provided that on such Sale, Transfer, or Disposition being made the said Bridge shall be Toll-free to the Public, and that Provision shall be made for the future due and proper Maintenance of the said Bridge and Approaches thereto, and the Swivel Bridge, in such Manner as may be required by the said Commissioners of the Treasury.

Power to Commissioners to sell Wellesley Bridge.

10. It shall be lawful for the said Commissioners of Public Works, from Time to Time, so long as the said Sum of Ten thousand Pounds, and the Interest thereon, or any Part of either, remain due and owing, to demise or let the Tolls and Rates of the said Bridge, subject to such Conditions and Restrictions as the said Commissioners may approve.

Power to Commissioners to let Wellesley Bridge.

On Payment of Debt Wellesley Bridge to be Toll-free.

11. From and after the Payment of the said Sum of Ten thousand Pounds, and Interest thereon, by such Instalments as aforesaid, or otherwise, and when and so soon as Provision shall be made, to the Satisfaction of the Commissioners of Public Works, for the due and proper Maintenance of the said Bridge and Approaches, and Swivel Bridge, the said Bridge shall be Toll-free to the Public, and be vested in such Grand Jury or Grand Juries, or other public Body or Bodies, so purchasing as aforesaid; and in the event of these Bodies declining to take the said Bridge then the said Tolls and Rates shall continue to be payable, and the said Commissioners of Public Works shall be authorized to demand and receive the same.

Certain Sections in recited Acts repealed.

12. From and after the Date of the Execution of such Deed or Instrument by this Act authorized, the Thirty-fourth, Thirty-fifth, Thirty-sixth, Thirty-seventh, and Thirty-eighth Sections of the Act of the Fourth of George the Fourth, Chapter Ninety-four, and the Eleventh and Twenty-first Sections of the Act of the Fourth and Fifth of William the Fourth, Chapter Eighty-four, and the Tenth, Eleventh, Twelfth, Nineteenth, Twentieth, Twenty-third, Twenth-fifth, and Twenty-ninth Sections of the Act of the Tenth and Eleventh Victoria, Chapter One hundred and ninety-eight, shall be and the same are hereby repealed.

Harbour Commissioners may borrow Money for Graving Dock and to improve Harbour.

13. It shall be lawful for the Public Works Loan Commissioners, after the Execution of the said Deed or Instrument, at any Time to lend to the Harbour Commissioners any Sum of Money, not exceeding Twenty thousand Pounds, out of the Monies placed at their Disposal under the Second Section of the Act of the Twenty-ninth and Thirtieth Victoria, Chapter Seventy-two, by way of Annuity or otherwise, in accordance with the Provisions of the "Harbours and Passing Tolls Act, 1861," for the Purpose of enabling the Harbour Commissioners to improve the said Port, and to construct a Graving Dock therein on any Land belonging to the said Harbour Commissioners situate in the said Port, and it shall be lawful for the Harbour Commissioners to make such Improvements in the said Port, and to construct such Dock, and to take Land by Agreement for that Purpose: Provided that Working Plans and Sections and Estimates of such Improvements and Graving Dock shall previously to commencing the same have been submitted to the Board of Trade, and on the said Board granting a Certificate in Writing, from Time to Time, under the Hands of One of their Secretaries, that such Improvements and Graving Dock, or any or either of them, are properly devised, and that the Estimate of Expense is sufficient for the same, the Public Works Loan Commissioners

missioners may advance to the Harbour Commissioners the Sums stated in such Certificates respectively, not exceeding in the whole the Sum of Twenty thousand Pounds, and such Sum or Sums so advanced from Time to Time, or the Annuity or Annuities granted for the same, shall be a First Charge on the Harbour Rates authorized to be levied in the Port of Limerick under the "Limerick Harbour Act, 1867," in priority to the said Annuity payable in respect of the said Sum of Fifty-five thousand Pounds or other less Sum as aforesaid.

For Payment of Debt to Sir T. Deane.

14. And whereas a Sum of Three thousand seven hundred and seventy-nine Pounds Nine Shillings and One Penny is due to Sir Thomas Deane, connected with Works executed by him in respect of the Improvement of the Port of Limerick, which Debt stands in priority of the said Charge of Two hundred and thirty thousand Pounds upon the Harbour Rates; but, notwithstanding such Priority, Payments have been made to Her Majesty's Exchequer in reduction of the Public Debt: And whereas, without discharging the Debt so due to the said Sir Thomas Deane, the Annuities hereby made chargeable upon the Harbour Tolls, Rates, and Dues, and upon all Land and Property of the Harbour Commissioners, could not in Equity form the First Charge upon the same, it shall therefore be lawful for the said Public Works Loan Commissioners, and they are hereby empowered, in addition to the said Sum of Twenty thousand Pounds, and subject to the same Conditions in regard to Repayment, to lend to the said Harbour Commissioners, under the Powers of the last-mentioned Act, a Sum not exceeding Three thousand seven hundred and seventy-nine Pounds Nine Shillings and One Penny, to be by them applied in Payment of the Sum so due to the said Sir Thomas Deane in priority to any Part of the said Sum of Twenty thousand Pounds being borrowed by the said Harbour Commissioners.

Proceedings for Recovery of Annuity.

15. If Default shall be made in Payment of the said first-mentioned Annuity or Rentcharge as herein-before provided, it shall be lawful for the Commissioners of Public Works to proceed for the Recovery thereof by all or any of the Means provided for the Recovery of Loans or Advances made by the said Commissioners of Public Works, under the Act of the First and Second of William the Fourth, Chapter Thirty-three, entitled "An Act for the Extension "and Promotion of Public Works in Ireland," in like Manner in all respects as if the said Tolls, Rates, Duties, or other the Premises charged and chargeable with the Payment of the said Annuity or Rentcharge had been transferred to the said Commissioners of Public Works by way of Mortgage, and in order to secure the Payment of the said Annuity or Rentcharge.

 16. And

Court of Chancery to appoint Receiver over Tolls.

16. And it shall also be lawful for the Court of Chancery in Ireland, upon the Application by Petition in a summary Way by the said Commissioners of Public Works, to appoint a Receiver of all the said Tolls, Rates, and Duties, and of the Rents and Profits of all other Premises chargeable with the said first-mentioned Annuity or Rentcharge; and any such Receiver so appointed as aforesaid shall possess all the Powers of the said Harbour Commissioners, or of any Collector appointed by them, for the Purpose of collecting and recovering the said Tolls, Rates, and Duties; and such Receiver shall and may be continued in such Receipt until all Arrears of such Annuity or Rentcharge, and all accruing Gales thereof, and all Costs incidental to the Appointment of such Receiver, shall be fully paid.

Commissioners to reimburse themselves for Costs, &c.

17. It shall be lawful for the said Commissioners of Public Works, out of the said Tolls, Rates, and Duties, to reimburse themselves for all Costs, Charges, and Expenses which may be lawfully sustained by them, or any Officer or Servants employed by them, in the Execution of this Act.

Public Act.

18. This Act shall be a Public Act, and shall be judicially taken notice of.

The SCHEDULES herein referred to.

SCHEDULE A.

Form of Grant of Annuity.

Grant Annuity, £

By virtue of the Powers of the "Limerick Harbour Act, 1867," and the "Limerick Harbour (Composition of Debt) Act, 1867," we, the Limerick Harbour Commissioners, in consideration of the Sum of accepted by the Commissioners of Her Majesty's Treasury in lieu of the Sum of Pounds, do grant unto the said Commissioners of Her Majesty's Treasury an Annuity or yearly Sum of Pounds, to be issuing out of the Harbour Rates payable under the "Limerick Harbour, Act, 1867," such Sum to be paid to the Commissioners of Public Works, or any Person duly authorized by them, in half-yearly Instalments on the Day of in 186 , and on the Day of and on the Day of in every succeeding Year, until the said Sum of Pounds, and Interest thereon, be duly paid.

In witness whereof we have hereunto set our Common Seal, this Day of 186 .

SCHEDULE B.

The Commissioners of Her Majesty's Treasury do hereby acknowledge, that, in accordance with the Terms of "The Limerick Harbour Act, 1867," and "The Limerick Harbour (Composition of Debt) Act, 1867," they do hereby accept the Sum of Fifty-five thousand Pounds, secured to them by the Annuity granted to them, under the Authority of those Acts respectively, by the Limerick Harbour Commissioners, charged on the Harbour Rates to be levied under the "Limerick Harbour Act, 1867," and by the Transfer of Wellesley Bridge to the Commissioners of Public Works, or other Public Body on their Behalf, in full Satisfaction and Payment of the Debt and Interest, amounting to Two hundred and thirty thousand Pounds and upwards, due to the said Commissioners of Her Majesty's Treasury, or to the Commissioners of Public Works on their Behalf, and secured on the Tolls, Rates, and Duties heretofore levied in the Harbour of Limerick, and on other Property belonging to the Limerick Harbour Commissioners, and do hereby declare the said Harbour, Docks, and Works, and the Rates and Duties and other Property of the Limerick Harbour Commissioners now to be for ever freed and discharged of the said Debt and Interest of Two hundred and thirty thousand Pounds and upwards, and of the Security created or confirmed by the said Mortgages

 respectively,

respectively, granted to the Commissioners of Public Works under the recited Acts or any of them, and the said Commissioners of Her Majesty's Treasury hereby consent to the Registration hereof in Dublin for Preservation at

In witness whereof, these Presents are subscribed by us,

Two of the said Commissioners, at London, the Day of , in the Year One thousand eight hundred and sixty- , before these Witnesses.

SCHEDULE (C.)

Bridge Tolls.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny.

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Sixpence, and so in proportion for any greater or less Number.

For every Score of Calves, Sheep, Goats, Lambs, or Swine, the Sum of Fivepence, and so in proportion for any greater or less Number.

For Six or more Horses or other Beasts of Draught drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricle, Chair, Caravan, Hearse, Litter, or other such Carriage, the Sum of One Shilling and Tenpence.

For Three, Four, or Five Horses or other Beasts of Draught drawing any such Carriage, the Sum of One Shilling and Fourpence.

For Two Horses or other Beasts of Draught drawing any such Carriage, the Sum of Elevenpence.

For One Horse or other Beast of Draught drawing any such Carriage, the Sum of Sixpence.

For Four or more Horses or any Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of Elevenpence.

For Three or fewer Horses or other Beasts of Draught drawing any Waggon, Wain, or other Carriage of Burden with Four Wheels, the Sum of Sixpence.

For Two or more Horses or other Beasts of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of Fourpence.

For One Horse or other Beast of Draught drawing any Waggon, Wain, Cart, Car, or other Carriage of Burden with Two Wheels, the Sum of Twopence.

For every Passenger passing over the said Bridge, the Sum of One Halfpenny for each and every Time of passing, except such Person or Persons as shall be driven in any Coach, Chariot, Berlin, Chaise, Chair, or Calash, and the Driver or Drivers thereof, and the Footman or Footmen, Servant or Servants thereof, standing behind the same, and except the Driver or Drivers of any Cart, Car, or Waggon, and any Person riding on any Horse, Mule, or Ass.

Limerick Harbour (Composition of Debt).

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

To authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt and Interest due by the Limerick Harbour Commissioners, and to make Arrangements for the Payment of the Amount for which such Debt is to be compounded; and for the Transfer of Wellesley Bridge in the City of Limerick to the Commissioners of Public Works; and for other Purposes.

(*Prepared and brought in by Mr. Dodson, Lord Naas, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 1 *June* 1867.

[Bill 176.]

Under 2 oz.

A

B I L L

TO

Amend certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled "An Act for the more effectual Prevention of Frauds "and Abuses committed by Weavers, Sewers, and other Persons "employed in the Linen, Hempen, Union, Cotton, Silk, and "Woollen Manufactures in Ireland, and for the better Payment of "their Wages for One Year, and from thence to the End of the "then next Session of Parliament:" 3 & 4 Vict. c. 91.

And whereas several Acts have been since passed for amending and extending the same:

And whereas it is expedient to provide for the more effectual Prevention of Frauds committed by Persons employed in the said Manufactures and in the Manufacture of Yarns in Ireland, and to amend the said Acts, and to remove certain Doubts which have existed respecting the Construction of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation.

1. In the Construction of the said Acts and of this Act the Word "Yarn" shall extend to and include Flax, Hemp, Jute, Cotton, Silk, and Wool which shall have been subjected to any Manipulation or Process to which such Materials respectively are subjected by Manufacturers, unless there be something in the Subject or Context inconsistent with such Meaning.

Any Person in Employment of Yarn Manufacturers, and having Yarns of his Employer in his Hands, to be deemed to be intrusted therewith for the Purpose of Manufacture.

2. Any Person in the Employment of a Yarn Manufacturer, and having any Yarns of such Manufacturer in the Hands or Power or under the Charge or Control of such Person, shall be deemed to be intrusted therewith for the Purpose of Manufacture.

This Act and recited Act as amended to be read as One Act.

3. This Act and the said Act passed in the Third and Fourth Years of the Reign of Her present Majesty, as amended by the Acts since passed for amending the same, shall be read together as One Act.

Linen and other Manufactures (Ireland).

A

BILL

To amend certain Acts relating to Linen, Hempen, and other Manufactures in Ireland.

(*Prepared and brought in by Mr. Lenyon and Mr. Gatty.*)

Ordered, by The House of Commons, *to be Printed*, 3 *June* 1867.

[Bill 183.]

Under 1 *oz.*

457

A

BILL

INTITULED

An Act to amend the Companies Act, 1862, and also the Act passed in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, intituled "An Act to "simplify and amend the Practice as to the "Entry of Satisfaction on Crown Debts and on "Judgments."

[Note.—*The Words printed in Red Ink are proposed to be inserted in Committee.*]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows : Preamble.

1. The One hundred and fourteenth Section of the Companies Act, 1862, shall be, and the same from and after the passing of this Act is, hereby repealed. 25 & 26 Vict. c. 89. s. 114. repealed.

2. Whereas a registered Lis pendens cannot be vacated without the Consent of the Person by whom it was registered, and such Consent is sometimes withheld, although the Suit or Proceeding is at an end, or is not being bonâ fide prosecuted: For Remedy whereof be it enacted, That the Court before whom the Property sought to be bound is in Litigation may, upon the Determination Court may order the vacating of Registration of Lis pendens, &c.

of the Lis pendens, or during the Pendency thereof, where the Court shall be satisfied that the Litigation is not prosecuted bonâ fide, make an Order, if it shall see fit, for the vacating of the Registration without the Consent of the Party who registered it, and may, in the Discretion of the Court, direct the Party on whose Behalf the Registration was made to pay all the Costs and Expenses occasioned by the Registration or the vacating thereof. The Application to the Court pending the Litigation may be in a summary Way by Petition or Motion in Court, or by Summons at Chambers; and if an Order shall be made for vacating any such Registration, the Senior Master of the Common Pleas at Westminster shall, upon the filing with him of an Office Copy of such Order, enter a Discharge of such Lis pendens on the Register, and shall be entitled for every such Entry of Discharge to the Sum of Two Shillings and Sixpence and no more, and may issue Certificates of such Entry, and may charge for every such Certificate the Sum of One Shilling.

Lis pendens. [H.L.]

A

BILL

INTITULED

An Act to amend the Companies Act, 1862, and also the Act passed in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, intituled "An Act "to simplify and amend the Practice "as to the Entry of Satisfaction on "Crown Debts and on Judgments."

(*Brought from the Lords* 4 *March* 1867.)

Ordered, by The House of Commons, *to be Printed*, 15 *May* 1867.

[Bill 153.]

Under 1 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Gainsborough, Farsley, Bideford, Canterbury, Chepping Wycombe, Worthing, and Wednesfield; and for other Purposes relative to certain Districts under that Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provisions made with respect to certain Districts already under the Local Government Act aforesaid: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Separated Parts of Gainsborough District to pay Share of Mortgage Debt.

2. Notwithstanding the Separation from the District of the Gainsborough Local Board of Health of the Hamlets of Morton, Walkerith, and East Stockwith, as set forth and described in the Provisional Order in the Schedule to this Act contained, the Parts so separated shall pay the Sum of *Seventy-five Pounds* being the Amount agreed to be defrayed by them as their Share of the Debt owing by such Board; the said Amount of *Seventy-five Pounds* to be paid by the several Hamlets herein-before named, within a Period of *Three Months* from the passing of this Act, and in the following Proportions; that is to say, the Hamlet of Morton to pay *Forty-one Pounds Thirteen Shillings and Fourpence*, the Hamlet of Walkerith *Twelve Pounds Ten Shillings*, and the Hamlet of East Stockwith *Twenty Pounds Sixteen Shillings and Eightpence* and the Gainsborough Local Board of Health aforesaid shall have full Power and Authority to collect and recover from the Ratepayers of the several herein-before named Hamlets any General District Rates and Highway Rates respectively, or any Arrears thereof respectively, which shall have been made and may be uncollected and due at the Time of the passing of this Act, and also any Amount due from such Hamlets respectively to such Local Board up to and at the Time of such passing of this Act, on account of the said Board's Expenditure in respect of Repairs of the Highways in such Hamlets: Provided always, that, notwithstanding such Separation as aforesaid, the Ratepayers of the several Hamlets aforesaid shall have the Right to inspect at all usual reasonable Hours, at the Office of the Gainsborough Local Board of Health, the Plans prepared for the District of such Board as originally constituted.

Security for Mortgage Debt of Gainsborough Local Board.

3. The Security for the Mortgage Debt of the Gainsborough Local Board of Health shall, from and after the passing of this Act, be the rateable Value of the Property in the District as altered by the Provisional Order in the Schedule of this Act annexed, the Town Portion of such District to be liable for the existing Debt, and the remaining Portion of the Township to be liable for the Debt incurred for Works in such last-mentioned Portion.

South Wales Highway Act repealed

4. The Act passed in the Twenty-third and Twenty-fourth Years of the Reign of Her present Majesty (23 & 24 Vict. Cap. 68.), intituled

intituled "The South Wales Highway Act," shall be repealed, so far as it relates to the Llanwonno Portion of the District of Mountain Ash, in the County of Glamorgan, within which District of Mountain Ash the Local Government Act, 1858, is now in force. as to Llanwonno Portion of the Mountain Ash District.

5. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act. Act incorporated with 21 & 22 Vict. c. 98.

6. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867." Short Title.

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. GAINSBOROUGH.—Altering the Boundaries of the District of Gainsborough under the Local Government Act, 1858.

2. FARSLEY.—Altering the Boundaries of the District of Farsley under the Local Government Act, 1858.

3. BIDEFORD.—For extending the Borrowing Powers of the Bideford Local Board.

4. CANTERBURY.—Making Provision for ascertaining the Value of Property, &c. of the late Paving Commissioners of Canterbury, and for other Purposes therein set forth.

5. CHEPPING WYCOMBE.—Repealing and altering Parts of a Local Act in force within the District of the Chepping Wycombe Local Board.

6. WORTHING.—Altering Provisional Order applying the Public Health Act, 1848, to the Town of Worthing, in the County of Sussex.

7. WEDNESFIELD.—Altering a Provisional Order relating to the District of Wednesfield under the Local Government Act, 1858.

GAINSBOROUGH.

Provisional Order for altering the Boundaries of the District of Gainsborough in the County of Lincoln, under the Provisions of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th section of the Local Government Act, 1858, duly signed by Owners of Property and Ratepayers within the three Hamlets of Morton, Walkerith, and East Stockwith, which form part of the District of the Local Board of Health for the District of Gainsborough in the County of Lincoln, praying for an alteration of the existing boundary of the said District by separating those Hamlets therefrom:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Arnold Taylor, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board of Health for Gainsborough in the County of Lincoln be altered by there being separated therefrom the three Hamlets of Morton, Walkerith, and East Stockwith; that such Hamlets be exempted from the further jurisdiction of the Gainsborough Local Board of Health, which will thenceforth be limited to the Township of Gainsborough.

2.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Twenty-ninth day of August 1866.

(Signed) S. H. WALPOLE.

FARSLEY.

Provisional Order altering the Boundaries of the District of Farsley, in the West Riding of the County of York, under the Provisions of the Local Government Act, 1858.

WHEREAS a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, and duly signed by the Local Board for the District of Farsley, in the West Riding of the County of York, praying for an alteration of the existing boundary of the said District, by adding thereto certain portions of the Hamlet of Calverley therein described and delineated in the Plan accompanying the said Petition:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confimation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for the District of Farsley, in the West Riding of the county of York, be altered by the incorporation with such District of a portion of the Hamlet of Calverley to be separated from such Hamlet by a line of division as follows; that is to say, commencing at a point at the end of Lees Lane, where the north side of Dike Lane meets the west side of Lees Lane, thence along the north side of the said Dike Lane to Woodhall Lane, thence crossing it and along the west side of the said Woodhall Lane to the Leeds and Halifax road, thence crossing the said road and along the west side of Galleway Lane to the point where it meets the boundary of the Township of Calverley with Farsley at Pudsey Hill Foot, thence eastward along the said Township boundary to the point where it meets the boundary of the District of Saint John the Evangelist, Farsley, thence northward along the same last-mentioned boundary to the end of Lees Lane, and thence crossing the same Lees Lane to the point of commencement.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Farsley Local Board as altered by this Order, by the incorporation therewith of the herein-before described portion of the

the Hamlet of Calverley; and the said members shall be elected by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eleventh day of January, in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

BIDEFORD.

Provisional Order for extending the Borrowing Powers of the Bideford Local Board (in the County of Devon).

WHEREAS the Local Board for the District of Bideford, in the County of Devon, have, under the provisions of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow a sum or sums altogether not to exceed an amount of Seventeen thousand Pounds, which will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed, for works of a permanent nature for the Drainage of and Supply of Water to their District:

And whereas, after due inquiry and report by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board in and for the District of Bideford, in the County of Devon, shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature in the exercise of their powers as such Local Board within such District, and on morgtage of the rates leviable by them as such, a sum or sums which shall not exceed in the whole two years' assessable value of the premises assessable under the Local Government, Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twenty-third day of November One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

CANTERBURY.

Provisional Order to make Provision for ascertaining the Value of Property, &c. of the late Pavement Commissioners of Canterbury, and for other Purposes therein set forth.

WHEREAS on Petition of the Council of the City and Borough of Canterbury, who have duly adopted the Local Government Act, 1858, in and for the said City and Borough, (the said Council acting as a Local Board under and for the purposes of such Act,) a Provisional Order has been prepared, bearing date 2d March 1866, duly confirmed by "The Local Government Supplemental Act, 1866," making certain alterations, amendments, and partially repealing certain Local Acts in force within the said District having relation to the purposes of the Local Government Act aforesaid, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and for other purposes in such petition set forth:

And whereas certain of those Local Acts, viz., those of 27 Geo. 3. cap. 14. 4 & 5 Vict. cap. 66. and 7 & 8 Vict. cap. 53. (generally styled the Canterbury Pavement Acts,) were by the said Provisional Order, confirmed as aforesaid, partially repealed, altered, and amended, and further provisions with respect thereto will be requisite: A Petition has been duly presented by the Local Board of Canterbury aforesaid to the Right Honourable Spencer Horatio Walpole, M.P., as one of Her Majesty's Principal Secretaries of State, praying that a Provisional Order may be prepared, making provision for ascertaining the value of the property of the Commissioners lately acting under the aforesaid Canterbury Pavement Acts with respect to their debts: And whereas the said Petition set forth that the Canterbury Local Board are desirous that, in consequence of the partial repeal, &c. of the aforesaid Pavement Acts, provision should be made for ascertaining the value of the property and estate of the said late Commissioners of Pavements to be vested in the Canterbury Local Board, and the amount of their debts, charges, and liabilities, and for transferring such property and estate to the said Local Board subject thereto:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local "Canterbury Pavement Acts" shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Acts, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

2.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board

Board upon the same trusts and for the same purposes as by such Commissioners.

3.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

4.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

5.—Provided also, that whenever the said Local Board may think it necessary it shall be lawful for the said Local Board to select a competent Engineer or Surveyor, to whom, with the sanction of one of Her Majesty's Principal Secretaries of State, the duty shall be entrusted to ascertain the value of the street pavements, roads, sewers, drains, and any other property and estate belonging to the late Canterbury Pavement Commissioners acting under the provisions of the herein-before recited Canterbury Pavement Acts, and also the amount of their debts, charges, and liabilities.

Given under my hand this Twenty-first day of December One thousand eight hundred and sixty-six.

(Signed) S. H. Walpole.

CHEPPING WYCOMBE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Chepping Wycombe Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Chepping Wycombe (otherwise High Wycombe), in the County of Buckingham, acting as the Local Board in and for the Borough aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, an Act passed in the fifty-third year of the reign of His late Majesty King George the Third (cap. 164.), intituled "An Act for paving, widening, "cleansing, watching, lighting, and regulating the streets and other public "places within the Borough of Chepping Wycombe, in the County of Bucks, "and for removing and preventing nuisances and obstructions therein:"

And whereas, in pursuance of the said Local Government Act, 1858, and after full consideration of the several matters mentioned in the said Petition, it

appears expedient to issue a Provisional Order in relation to the said matters; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the fifty-third year of the reign of King George the Third (cap. 164.), specified in the Schedule hereunto annexed, shall be repealed so far as the provisions thereof apply to and are in force within the limits of the aforesaid District of the Borough of Chepping Wycombe.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

3.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners.

4.—All debts, liabilities, monies, and securities for money contracted or payable by such Commissioners shall be charged upon the rates leviable under the said Local Government Act, 1858, and be paid and satisfied by the said Local Board out of such rates accordingly.

Given under my hand this First day of February One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

Schedule to which this Order refers.

The parts of the Local Act, 53 Geo. 3. (cap. 164), herein-before referred to in this Order to be repealed, are as follows; that is to say,—

The sections of the said Local Act numbered respectively in the copies thereof printed by the King's Printers 1 to 26, both inclusive; 29 to 32, both inclusive; 35; 39 to 44, both inclusive; and 48 to 63, both inclusive.

WORTHING.

Provisional Order for the Alteration of the Provisional Order applying the Public Health Act, 1848, to the Town of Worthing, in the County of Sussex.

WHEREAS, upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Town of Worthing, in the County of Sussex, and within the boundaries of the said Town as fixed for the purposes of the Local Act 1 & 2 Geo. 4. c. 59., intituled "An Act to "repeal two Acts made in the Forty-third and Forty-ninth Years of His late "Majesty, for paving the Town of Worthing, in the County of Sussex, and esta- "blishing a Market therein, and for making other provisions in lieu thereof; for "erecting Groyns, for laying a Duty on Coals imported into the said Town, and "for other Purposes relating to the Improvement of the said Town," the Public Health Act, 1848, was duly applied to the District of Worthing aforesaid by a Provisional Order of the General Board of Health, bearing date the 17th day of January 1852, confirmed by the Public Health Supplemental Act, 1852:

And whereas by that Provisional Order the number of members of the Local Board of Health was fixed at nine, to be elected for the whole of such District:

And whereas the Local Board of Health for the said District have, in pursuance of the Local Government Act, 1858, (Sect. 77,) presented a petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration of the aforesaid Provisional Order in so far as it relates to the number of members to constitute the Local Board of Health for such District:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in respect of the matters mentioned in the said Petition; and it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that at the first election of members of the Worthing Local Board of Health after the passing of any Act of Parliament confirming this Order—

1. Nine members shall be elected to serve on the said Local Board for the whole of the said District, and the number of the said Board shall, from the date of the said election, be fifteen, anything in the Provisional Order aforesaid to the contrary notwithstanding.

2.—One third of the fifteen members constituting the Local Board of Health as aforesaid shall go out of office on the 5th day of August in every year; and the said Local Board shall decide, by such mode as they shall themselves determine, the order of retirement of the five members to retire annually, until the order of retirement can be determined by the expiration of service on the Local Board, as directed by the said Public Health Act, 1848.

Given under my hand this Fifteenth day of February 1867.

(Signed) S. H. WALPOLE.

WEDNESFIELD.

Provisional Order for altering a Provisional Order relating to the District of Wednesfield, in the County of Stafford, under the Provisions of the Local Government Act, 1858.

WHEREAS a Provisional Order has been duly confirmed by the Local Government Supplemental Act, 1866 (No. 3), altering the then existing boundary of the District of Wednesfield, in the County of Stafford:

And whereas by such Provisional Order as aforesaid the number of members of the Local Board to be elected under the Local Government Act, 1858, was altered from fifteen to nine, the entire number to be elected for the whole of such District:

And whereas the Local Board for the said District have, in pursuance of the Local Government Act, 1858, (Sect. 77,) petitioned me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration of the aforesaid Provisional Order in so far as such Order relates to the number of members to constitute such Local Board; and it appears expedient to issue a Provisional Order in relation thereto; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

The number of members to constitute the Local Board for the present District of Wednesfield shall be fifteen, anything in the first herein-before mentioned Provisional Order, and in the Act confirming the same Order as aforesaid, to the contrary notwithstanding; and one third in number of the fifteen members of such Board shall annually go out of office, as was the case prior to the confirmation of the Provisional Order bearing date the Twentieth day of March 1866, by the Local Government Supplemental Act, 1866, (No. 3); and the Order in which the persons to be elected at the next election of members of the said Local Board shall go out of office shall be regulated by such Local Board.

Given under my hand this Twenty-sixth day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

Local Government Supplemental.

A

BILL

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Gainsborough, Farsley, Bideford, Canterbury, Chepping Wycombe, Worthing, and Wednesfield; and for other Purposes relative to certain Districts under that Act.

(*Prepared and brought in by Mr. Secretary Walpole and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 11 *April* 1867.

[Bill 121.]

Under 2 *oz.*

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Derby, Sherborne, Royton, Bedford (Lancashire), Slough, Sandown, Burton-upon-Trent, West Cowes, and Accrington.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has under the Provisions of the Local Government Act, 1858, made certain Provisional Orders, which are contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act, that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Act incorporated with 21 & 22 Vict. c. 98.

2. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

3. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867, (No. 2).

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. SHEFFIELD.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Sheffield Local Board for the Purchase of Lands by the said Board for Street Improvements.

2. DERBY.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Derby, in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District, for Street Improvements.

3. SHERBORNE.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sherborne, in the County of Dorset, for the Purchase of Lands by the Local Board of Health for the Supply of Water to their District.

4. ROYTON.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Royton, in the County of Lancaster, for the Purchase of Lands in the aforesaid District for Street Improvements.

5. BEDFORD.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Bedford (Lancashire) Local Board, for the Purchase of Lands by the said Board for Sewage Outfall Purposes.

6. SLOUGH.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Slough Local Board for the Purchase of Lands by the said Board for Works for flushing the Sewers within their District.

7. SANDOWN.—Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sandown, in the Isle of Wight, for the Purchase of Lands by the Local Board for that District, for Street Improvements.

8. BURTON-UPON-TRENT.—Provisional Order for the Alteration of the Town of Burton-upon-Trent Act, 1853, in force within the District of the Burton-upon-Trent Local Board.

9. WEST COWES.—Provisional Order altering a Local Act in force in the District of West Cowes.

10. ACCRINGTON.—Provisional Order extending the borrowing Powers of the Local Board of Health.

SHEFFIELD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Sheffield Local Board for the Purchase of Lands by the said Board for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Sheffield, in the County of York, being, by the Council of the said Borough, the Local Board in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land for the purpose of widening, enlarging, and improving certain streets and highways in the said Borough, such land being situate within the District of the said Sheffield Local Board:

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the Powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Sheffield, being, by the Council of the said Borough, the Local Board for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Eleventh day of April One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The LANDS, BUILDINGS, &c. proposed to be taken as described in the foregoing ORDER, and for the purposes therein set forth are the following:

The Numbers in Column 1 refer to those on the PLANS accompanying the Petition of the LOCAL BOARD presented to the Secretary of State for the Home Department by such Board.

[FIRST PART]

Comprising the Lands, Buildings, &c. required for the intended New Street from the Borough Bridge, Bridgehouses, to Mowbray Street, Harvest Lane.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
1	Beerhouse, House, and Appurtenances.	The Right Reverend Thomas Nettleship Staley, Bishop of Honolulu.	Joseph Troth (Lessee) Frederick Wolf.
2	Butcher's Sale Shop, and Rooms	Thomas Nettleship Staley.	Joseph Troth (Lessee) Francis Dodgson).
3	Green Grocer's Sale Shop and Rooms over.	Thomas Nettleship Staley.	Joseph Troth (Lessee) William Smith, Gibson Hall, and John Hall.
4	Grocer's Sale Shop, House and Rooms - - - -	Thomas Nettleship Staley.	Joseph Troth (Lessee) John Hall, and Gibson Hall.
5	Plumber and Glazier's Shop and House and Rooms over.	Thomas Nettleship Staley.	Joseph Troth (Lessee) Rhoda Hemmingway, Gibson Hall, and John Hall.
6	Cottage House - - -	Thomas Nettleship Staley.	Joseph Troth (Lessee) Empty.
7	Cottage House - - -	Thomas Nettleship Staley.	John Butterworth.
8	Cottage House - - -	Thomas Nettleship Staley.	Jacob Fabre.
9	Cottage House - - -	Thomas Nettleship Staley.	John Clarke.
10	Cottage House - - -	Thomas Nettleship Staley.	William Chatterton.
11	Cottage House - - -	Thomas Nettleship Staley.	William Kay.
12	Cottage House - - -	Thomas Nettleship Staley.	Edward Wood.
13	Cottage House - - -	Thomas Nettleship Staley.	Peter Flanagan.
14	Cottage House - - -	Thomas Nettleship Staley.	Michael Dockrinn.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
15	Cottage House, and Coalplace -	Thomas Nettleship Staley.	William Cogin.
16	Coalplace - - - -	Thomas Nettleship Staley.	William Kay.
17	Coalplace - - -	Thomas Nettleship Staley.	Michael Dockrinn.
18	Coalplace - - -	Thomas Nettleship Staley.	Rhoda Hemmingway.
19	Common Passage, Yard, and Conveniences.	Thomas Nettleship Staley.	Frederick Wolf, Francis Dodgson, William Smith, Gibson Hall, John Hall, Rhoda Hemmingway, Joseph Troth (Lessee) John Butterworth Jacob Fabre, John Clarke, William Chatterton, William Kay, Edward Wood, Peter Flannagan, Michael Dockrinn, and William Cogin.
20	"The Old Brown Cow" Public House and Store Room, formerly Cottage House.	Joseph Smith -	John Coldwell.
21	Stable, Hay Chamber, and Manure Place.	Joseph Smith -	John Coldwell and Joshua Dawson.
22	Shed and Hay Chamber over it -	Joseph Smith -	William West Meggitt.
23	Slaughter-house and Clamming-house.	Joseph Smith -	William West Meggitt.
24	Stable - - - -	Joseph Smith -	John Coldwell and Best.
25	Store for Soot, formerly Three Cottage Houses.	Joseph Smith -	Henry Smith.
25a	Yard, over which Mr. William Carr and The Right Reverend Thomas Nettleship Staley have Right of Road.	Joseph Smith -	John Coldwell, Joshua Dawson, William West Meggitt, Henry Smith, William Carr. Thomas Nettleship Staley, Best.
26	Common Yard and Conveniences. The Right Reverend Thomas Nettleship Staley has a Right of Road over part of Yard.	Joseph Smith -	John Coldwell, Joshua Dawson, William West Meggitt, Henry Smith, Best, William Carr, and Thomas Nettleship Staley.
27	Butcher's Shop, Sleeping-rooms over, and Stable under the said Shop.	William Carr -	William Carr and John Wall.
28	Pork Butcher's Sale Shop and House, and Shoemaker's Sale Shop and House.	William Carr -	John Wall.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
29	Shoemaker's Workshop - -	William Carr -	John Wall.
30	Slaughter-house - -	William Carr -	George Smith.
31	Stable - - - -	William Carr -	George Woodcock.
32	Pig-stye - - - -	William Carr -	John Wall.
33	Pig-stye - - - -	William Carr -	George Smith.
34	Stable and Hay Chamber over, Slaughter-house, Clamming-house, and Hay Chamber over.	William Carr -	William Carr.
35	Yard and Manure Place - -	William Carr -	William Carr, George Smith, George Woodcock, and John Wall.
36	Stable and Hay Chamber over -	William Carr -	George Pearce.
37	Stable, Shed, and Hay Chamber over.	William Carr -	George Pearce.
38	Dwelling House - - -	William Carr -	George Pearce.
39	Dwelling House - -	William Carr -	George Pearce and Thomas Chantley.
40	Stable and Hay Chamber over -	William Carr -	George Pearce.
41	Yard, Coal Shed, and Manure Place.	William Carr -	George Pearce.
42	Common Yard and Conveniences. The Right Reverend Thomas Nettleship Staley and Mr. Joseph Smith have Right of Road over Yard.	William Carr -	William Carr, John Wall, George Smith, George Woodcock, George Pearce, Thomas Chantley, Thomas Nettleship Staley, and Joseph Smith.
43	The "Hope and Anchor" Public House and Appurtenances.	Robert Younge -	Joseph Ramsden.
44	Yard, Pig-styes, and Conveniences	Robert Younge -	Joseph Ramsden.
45	Hay and Straw Ware House, formerly Two Cottage Houses.	Robert Younge -	Henry Guest.
46	Two Cow Houses with Hay Chamber over one of them.	Robert Younge -	Elizabeth Twigg.
47	Dwelling House - - -	Robert Younge -	John Hides.
48	Dwelling House and Stable -	Robert Younge -	Joseph Littlewood.
49	Two Stables and Two Pigstyes	Robert Younge -	Elizabeth Twigg.
50	Yard, Vacant Ground, and Conveniences.	Robert Younge -	Joseph Ramsden, Henry Guest Elizabeth Twigg, John Hides, and Joseph Littlewood.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
51	Chaser's Shop - - -	Robert Younge -	Benjamin Hickman.
52	Dwelling House - - -	Robert Younge -	Benjamin Hickman.
53	Dwelling House and Sale Shop over.	Robert Younge -	Martha Stacey and the Representatives of James Hodgson.
54	Dwelling House and Room over	Robert Younge -	Mary Winter and the Representatives of James Hodgson.
55	Dwelling House and Room over	Robert Younge -	Thomas Pearson and the Representatives of James Hodgson.
56	Dwelling Houses - -	Robert Younge -	George Hickman and Martin Keene.
57	Dwelling Houses - - -	Robert Younge -	William Clark and Charles Humphreys.
58	Dwelling House and Room under Back Part.	Robert Younge -	Patrick Dunn and Jane Bingham.
59	Common Yard and Conveniences	Robert Younge -	Benjamin Hickman, Martha Stacey, the Representatives of James Hodgson, Mary Winter, Thomas Pearson, George Hickman, Martin Keene, William Clark, Charles Humphreys, Patrick Dunn, and Jane Bingham.
60	Dwelling House and Room under Back Part.	Henry Drury -	Hannah Broomhead and Martha Martin.
61	Dwelling House and Room under Back Part.	Henry Drury -	Christiana Yeardley and William Fisher.
62	Dwelling House - -	Henry Drury -	Catherine Ingle.
63	Dwelling House - - -	Henry Drury -	James Raby.
64	Dwelling House - - -	Henry Drury -	Mary Woodcock.
65	Dwelling House - - -	Henry Drury -	Job Higdon.
66	Common Road and Conveniences	Henry Drury -	Hannah Broomhead, Martha Martin, Christiana Yeardley, William Fisher, Catherine Ingle, James Raby, Mary Woodcock, and Job Higdon.
67	Dwelling House - -	Henry Vickers -	Mary Ann Nevin.
68	Dwelling House - - -	Henry Vickers -	Leonard Godfrey.
69	Dwelling House - -	Henry Vickers -	Lydia Hibberd.
70	Dwelling House - - -	Henry Vickers -	Rachel Thorpe.
71	Dwelling House - - -	Henry Vickers -	Samuel Fernley.

No. on Plan No. 1.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessee or Occupiers, or reputed Lessee or Occupiers.
72	Dwelling House - - -	Henry Vickers -	Empty.
73	Dwelling House - -	Henry Vickers -	Christopher Revitt.
74	Dwelling House - - -	Henry Vickers -	William Booth.
75	Common Yard and Conveniences	Henry Vickers -	Mary Ann Nevin, Leonard Godfrey, Lydia Hibberd, Rachel Thorpe, Samuel Fernley, Christopher Revitt, and William Booth.
76	Vacant Land - - - -	The Trustees of His Grace The Duke of Norfolk.	
77	Vacant Land, formerly Road to a Public Watering Place.		

[SECOND PART.]

Opening out of the Spring Vale Road.

No. on Plan No. 2.			
1	Land. 266 Superficial Square Yards, coloured Pink on the Plan.	William Ackroyd -	William Ackroyd.
2	Land. 153 Superficial Square Yards, coloured Blue on the Plan.	William Ellison -	William Ellison.

DERBY.

Provisional Order, putting in force the Lands Clauses Consolidation Act, 1845, within the District of Derby in the County of Derby, for the Purchase of Lands by the Local Board of Health for the aforesaid District, for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Derby in the County of Derby, by the Council of such Borough, acting as the Local Board for that District, have in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land and certain buildings for works of street improvement, by removing the Piazza Buildings and other buildings, &c., within their District specified as herein-after is described.

AND WHEREAS the said Petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon.

NOW, THEREFORE, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Derby aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to and shown upon the plan accompanying such petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Fourth day of May in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The PIECES of LAND and the PREMISES proposed to be taken, as described in the foregoing Order and shown upon the Plan accompanying the Local Board of Health's Petition, are the following; being the Land and Premises required for the Widening and Improving of the eastern side of Rotten Row, and western side of the Market Place, including the north-eastern end of Corn Market, and southern side of Market Head, comprising the Piazza Buildings, Old Shambles, &c.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	Shop and rooms over, with cellarage underneath, and under the adjoining fishmonger's shop (No. 18 on Plan), as well as rooms over the latter.	The Mayor, Aldermen and Burgesses of the Borough of Derby.	HawkinsGodolphin Ayscough, and Sir George Alfred Arney.	Frederick Clifton (late), now unoccupied.
2	House, shop, and cellar, with rooms over butcher's shop (No. 19 on Plan) and cellarage under the latter.	Hannah Beeson		Thomas Cash.
3	Shop and cellar	Martha Randall	Henry Randall	Henry Randall.
4	Shop and back room, with rooms over, and cellar; also rooms over shop (No. 3 on Plan).	Martha Randall		William and George Goodwin.
5	Shop and back room, with rooms over and cellarage.	Executors of the late Frederick Parker (Charles John Storer and John Davis).		William Crabtree.
6	Shop and cellarage, with upper dwelling and show rooms, and rooms over the two butchers' shops (Nos. 22 and 21 on Plan).	Byrom's Charity Trustees—(Benjamin Scott Currey).	Executors of the late Daniel Holme (George Holme and Joseph Hall).	Patrick Joseph Bray.
7	Shop and rooms over, with cellar, and cellarage partly under butcher's shop (No. 22 on Plan).	John Richardson		Louisa Foster.
8	House, shop, and cellar, with rooms over passage leading to shambles, at back of premises.	Henry Nicklinson, the elder.		Henry Nicklinson, the younger.
9	House, shop, and cellar, with cellarage under the passage leading to shambles; also the first floor immediately over such passage, together with the third floor, all at the north-eastern end of Corn Market.	George Holme		George Holme.
10	House, shop, and cellarage, with the second floor only over the passage leading to shambles, at the north-eastern end of Corn Market; also rooms over the Piazzas.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William John Stenson.	William John Stenson.
11	Upper and lower shops, with rooms over, and over the Piazzas; also cellarage, which extends under shops, the Piazzas, and the Market Place.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William and George Goodwin.	William and George Goodwin.
12	Butcher's shop	Sarah Thomas and John Radford.		Charles Glover.
13	Butcher's shop	Sarah Thomas and John Radford.		Henry Bancroft.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
*12 and 13	Staircase in Piazzas and dwelling rooms over butchers' shops and Piazzas (Nos. 12 and 13 on Plan).	Mary Curtis - -		William and George Goodwin; John Bradbury.
14	Butcher's shop - - -	Thomas Stenson -		John Martin.
*14	Staircase in Piazzas, and tailors' shops over butcher's shop (No. 14 on Plan), with cellarage underneath the latter, and under Piazzas.	Benjamin Ashmole -		William and George Goodwin.
15	Butcher's shop - - -	Sarah Thomas and John Radford.		Richard Clay.
16	Butcher's shop - - -	Sarah Thomas and John Radford.		Isaac Hardy.
*15 and 16	Staircase in Piazzas and upper dwelling rooms fronting Market Place, being part of the buildings described and numbered separately as 15 and 16, on Plan.	John Sandars - -		John Cook.
*15 and *16	Cellarage connected with butchers' shops (Nos. 15 & 16 on Plan), and partly under Piazzas and the Market Place.	John Sandars - -		David Hackney.
17	Butcher's shop - - - -	Richard Parberry -		Henry Radford.
*15, *16, *17,	Staircase in Piazzas and upper rooms and work-shops fronting Market Place, the same forming part of the buildings described as butchers' shops, and numbered separately, 15, 16, and 17 on Plan; also the cellar under butcher's shop No. 17 on Plan.	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Thomas Cooper -	John Cook.
18	Fishmonger's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Thomas Cooper -	Executor of the late Francis Greasley, (Joseph Bloor).
19	Butcher's shop - - -	Sarah Kilby - -		Frederick Allen.
20	Butcher's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	Hawkins Godolphin Ayscough and Sir George Alfred Arney.	William Barton.
21	Butcher's shop - - -	Stephen Domleo -		Stephen Domleo.
22	Butcher's shop - - -	William John Stenson		Thomas Topham.
23	Butcher's shop - - -	The Mayor, Aldermen, and Burgesses of the Borough of Derby.	William and George Goodwin.	William Domleo.

SHERBORNE.

SHERBORNE.

Provisional Order putting in force the Lands Clauses Consolidation Act 1845, *within the District of Sherborne, in the County of Dorset, for the Purchase of Lands by the Local Board of Health for Works for the Supply of Water to their District.*

WHEREAS the Local Board of Health for the District of Sherborne, in the County of Dorset, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land to enable them to provide a sufficient supply of water for such District, and for the other Purposes described in such Petition.

AND WHEREAS the said petition duly set forth the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board of Health for the District of Sherborne aforesaid shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twenty-sixth day of March in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The pieces of Land and Premises proposed to be taken, as described in the foregoing Order, and shown upon the Plans accompanying the said Local Board's Petition are the following, showing the Property so proposed to be taken otherwise than by agreement.

No. on Plan.	Property proposed to be taken.	Parish, Township, or Extra-Parochial Place.	Description.	Owners.	Lessees.	Occupiers.
1	Withey Bed and Pond.	Castleton, Dorset.	A piece of land containing two roods and nine perches or thereabouts, being at the north-east side of a close of meadow called "Morass or the Marsh," and called "the Withey Bed and Pond."	Richard Baker Wingfield Baker, Esquire as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	The Sherborne Local Board of Health, John Young Melmoth, clerk.	The Sherborne Local Board of Health, John Young Melmoth, clerk.
2	Pasture or meadow land.	Castleton, Dorset.	About half an acre of the said close called "Morass or the Marsh" next adjoining the before-mentioned Withey bed and pond, and bounded on the north partly by the turnpike road leading from Sherborne to Oborne, and partly by a dwelling house and garden in the occupation of Miss Burge.	The same -	- - -	Ann Miller.
3	Garden ground	Sherborne, Dorset.	A piece of garden ground on the north side of the before-mentioned pond, and dividing it from the turnpike road, containing by admeasurement ten perches or thereabouts.	The same -	- - -	William Coles.
4	Turnpike road	Sherborne, Dorset.	Turnpike road - -	The trustees of the Sherborne Turnpike Roads, John Young Melmoth, clerk.	- - -	The public.
5	Pasture and orchard land.	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Mary Chandler	- - -	Jane Mees.
6	Pasture land -	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Walter Sawtell.

No. on Plan.	Property proposed to be taken.	Parish, Township, or Extra-Parochial Place.	Description.	Owners.	Lessees.	Occupiers.
7	Pasture land -	Sherborne, Dorset.	The land required will be that through which the Local Board of Health of Sherborne have already laid down pipes for the conveyance of water.	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Edward Benthall.
8	Pasture land -	Sherborne, Dorset.	Ditto - -	The same -	- - -	James Hoddinott.
9	Pasture land -	Sherborne, Dorset.	Ditto - -	Mary Chandler	- - -	Jane Mees.
10	Pasture land -	Sherborne, Dorset.	Ditto - -	The same -	- - -	The same.
11	Turnpike road	Sherborne, Dorset.	Ditto - -	The trustees of the Sherborne Turnpike Roads, John Young Melmoth, clerk.	- - -	The public.
12	Arable land and footpath.	Sherborne, Dorset.	Ditto -	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Charles Johnson and the public.
12a	Footpath -	Sherborne, Dorset.	Ditto - -	The Sherborne Highway Board, John Young Melmoth, clerk.	- - -	The public.
13	Arable land -	Sherborne, Dorset.	Ditto - -	Richard Baker Wingfield Baker, Esquire, as surviving trustee under the will of the late Edward, Earl Digby, or George Digby Wingfield Digby, Esquire.	- - -	Charles Johnson.

ROYTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Royton, in the County of Lancaster, for the Purchase of Lands in the aforesaid District for Street Improvements.

WHEREAS the Local Board for the District of Royton, in the County of Lancaster, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, which last-mentioned Act has been adopted in such District, and after complying with the requirements of the said 75th section by duly giving and serving all notices thereby directed, duly presented a Petition to one of Her Majesty's Principal Secretaries of State for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable them to purchase certain pieces of land and certain buildings for purposes of street improvement in that District:

AND WHEREAS the said Petition duly set forth the pieces of land and buildings intended to be taken for such purposes, and the names of the owners lessees, and occupiers of the aforesaid land and buildings, who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Commissioners, and such Petition prayed that they might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board shall be empowered to put in force, with reference to the land, building, and premises referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement, for the purposes herein-before set forth and described.

Given under my hand, this Thirtieth day of March, in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The Pieces of Land, and the Premises proposed to be taken as described in the foregoing Order, and shown upon the Plan accompanying the Royton Local Board's Petition are the following, showing the Property so proposed to be taken, otherwise than by agreement.

No. on Plan.	Description of Property.	Owners.	Names of Lessees or Reputed Lessees.	Occupiers.
1	Part of three cottage gardens.	Sir Jos. Radcliffe -	John Cooper and Brothers.	John Cooper and Brothers, William Travis, Joseph Platt, and John Firclough.
2	Land used as a water-tub stand.	Jno. Cooper and Brothers.	Ditto ditto -	Mary Hill and Hannah Cooper.
3	Land used for ditto -	Lydia Cooper -	Lydia Cooper - -	Abraham Butterworth.
4 & 5	Land used for ditto -	Jno. Cooper and Brothers.	John Cooper and Brothers.	Joseph Taylor.
6a	Front yards for four houses.	John Travis - -	John Travis - -	George Bailey, Esther Butterworth, John Glover, and Thomas Whiner.
6	Front yards for two houses.	Exors. of Geo. Travis	Exors. of Geo. Travis	Samuel Marsden and Hannah Marsden.
7	Land, fences, and garden.	Exors. of Jas. Milne -	Samuel Schofield -	Samuel Schofield and Saml. Marsden.
8	Old gardens; front of houses.	Mary and Helen Ogden	Mary and Helen Ogden	Abraham Brooks, Robert Wellock, John Buckley, and James Leach.
9	Old gardens; front of houses.	Helen Ogden - -	Helen Ogden - -	Henry Gartside, John Bradley, and Henry Ogden.
10	Old gardens; front of houses.	Mary Ogden - -	Mary Ogden - -	Martha Higgins, John Turner, Edward Gartside, and Ann Whitehead.
11	Wall and flags -	Jno. Holden - -	Jno. Holden - -	Henry Beswick.
12	Yards in front of houses.	Jane Whittaker -	Jane Whittaker -	Jane Whittaker and Mary Cocker.
13	Yards in front of houses.	Betty Taylor - -	Betty Taylor -	Thomas Wolfenden and John Long-bottom.
14	Steps at house door -	Jno. Holden - -	John Holden -	Edmund Cocker.
15	Building land -	Jas. Bentley and others.	Jas. Bentley and others.	James Bentley and others.
16	Land in front of houses.	George Baron -	George Baron -	George Baron.
17	Old garden - -	Jane Whitworth -	Jane Whitworth -	Jane Whitworth.
18	Old garden - -	John Wilson - -	John Wilson - -	John Wilson.
19	Land in front of house.	Wm. Wood and others	Wm. Wood and others	John Coates.
20	Land ditto -	Sandy Lowe - -	Sandy Lowe - -	Chal. Turner.
21	Land ditto -	Administrators of John Butterworth.	John Butterworth's administrators.	James Cocker.
22	Land ditto -	James Butterworth -	Jas. Butterworth -	James Butterworth.
23	Steps in Seminary Street.	Abraham Seville -	Abraham Seville -	Henry Winterbottom and others.

BEDFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Bedford (Lancashire) Local Board for the Purchase of Lands by the said Board for Sewage Outfall Purposes.

WHEREAS the Local Board in and for the District of Bedford in the County of Lancaster, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of Land for purposes of Sewage, Outfall, and the Drainage of their District:

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such Purposes, as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might with reference to such lands be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition, Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported to me thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1. The Local Board for the District of Bedford in the County of Lancaster shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement for the purposes hereinbefore set forth and described.

Given under my hand this Thirtieth day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHE-

SCHEDULE referred to in the preceding Order.

The pieces of Land proposed to be taken as described in the foregoing Order are the following:—

DISTRICT OF BEDFORD.

No. on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
1	Half a statute acre of land, or thereabouts, in the Township and District of Bedford, being part of and situate at the northerly end of a certain field called the Bottom Brook Meadow near the Bedford Mills. And all necessary rights of road and approaches thereto.	Thomas Farnworth, Mary Ann Farnworth, James Richardson, Henry Fletcher, George Lowe.	- -	James Mills, William Guest.
2	Half a statute acre, or thereabouts, of land, being part of and situate at the southerly end of a certain field called Southern's Meadow in the Township and District of Bedford. And all necessary rights of road and approaches thereto.	Elizabeth Abbott, John Owen, Richard Abbott, John Hurst.	- -	William Green.

SLOUGH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Slough Local Board for the Purchase of Lands by the said Board for Works for flushing the Sewers within their District.

WHEREAS the Local Board in and for the District of Slough in the County of Buckingham, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase a certain piece of land for the purpose of constructing a water tower and well for flushing the sewers within their District, and all proper and necessary roads and approaches thereto.

AND WHEREAS the said Petition duly set forth in the Schedule annexed thereto the piece of land intended to be taken by such Board for such purpose as shown in the plan accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,—

1. The Local Board for the District of Slough shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-seventh day of March One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The Piece of Land proposed to be taken as described in the foregoing Order is the following:—

Description of Land and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupier.
A parcel of land situate in the Parish of Stoke Poges in the County of Buckingham, being a portion of a close of meadow land numbered 24 on the Plan of the district of the Slough Local Government Board, bounded on the north-west by the Windsor Branch of the Great Western Railway, on the south by the public road leading from London to Bath, and on the north and east by the red lines shown on the said Plan.	The Provost and Fellows of Eton College.	William Hallam Botham and George Botham.	Thomas William Harris.

SANDOWN.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of Sandown in the Isle of Wight, for the Purchase of Lands by the Local Board of that District for Street Improvements.

WHEREAS the Local Board for the District of Sandown, in the Isle of Wight, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, duly presented a Petition to me as one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Board to purchase certain pieces of land, to widen, alter, and improve High Street, within the aforesaid District:

AND WHEREAS the said petition duly set forth the several pieces of land intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition I, as one of Her Majesty's Principal Secretaries of State as aforesaid, directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The said Local Board for the District of Sandown aforesaid shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, and in the Petition herein-before referred to, and shown upon the plan accompanying such Petition, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement for the purposes of Street Improvement as herein-before described.

Given under my hand this Ninth day of April in the year one thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken, as described in the foregoing Order, and shown upon the Plan accompanying the Sandown Local Board's Petition, are the following, showing the Property so proposed to be taken otherwise than by agreement.

No. on deposited Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	Garden, yard, and part of house.	Sir Henry Oglander, Baronet.	Charles Meeres -	Charles Meeres.
2	Land in front of house.	Sir Henry Oglander, Baronet.	George Bessant and James Withers.	Mrs. White.
3	Land in front of house.	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers.	Frank Mackett.
4	Land - -	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers.	William Baron Mew, James Withers.
5	Land in front of house.	Sir Henry Oglander, Baronet.	William Baron Mew, James Withers, Daniel Barton Urry.	Daniel Barton Urry.
6	Pasture land -	The warden and scholars' clerks of Saint Mary's College, Winchester.	David Mitchell -	Henry Bound.
7	Plantation -	The warden and scholars' clerks of Saint Mary's College, Winchester.	David Mitchell.	
8	Waste land -	Sir Henry Oglander.		
9	Pasture - -	David Mitchell - -	- - -	Henry Bound.

BURTON-UPON-TRENT.

Provisional Order for the Alteration of the Town of Burton-upon-Trent Act, 1853, *in force within the District of the Burton-upon-Trent Local Board.*

WHEREAS the Commissioners acting in execution of a certain Local Act of Parliament passed in the sixteenth and seventeenth years of the reign of Her Majesty Queen Victoria (cap. 118.), intituled "An Act for more effectually "improving the Town of Burton-upon-Trent, in the County of Stafford," have duly adopted the Local Government Act, 1858, in and for the said Town of Burton-upon-Trent and the District thereof; and whereas parts of the said Local Act have been repealed by a Provisional Order, dated the 28th day of February 1866, confirmed by "the Local Government Supplemental Act, 1866:"

And whereas the said Commissioners acting as a Local Board, under and for the purposes of the said Local Government Act, have now, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for a further partial repeal of the said Local Act, (being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit,) and for other purposes in such Petition set forth.

And whereas it appears, after consideration of the said Petition, to be expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament.

Now,

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The Local Act aforesaid of 16 & 17 Vict. c. 118. shall be altered as is set forth and described in Schedule to this Order annexed.

2.—For the better adaptation of the provisions of such Local Act to those of the Local Government Act, 1858, and the Acts incorporated therewith, and vice versâ, and the future execution of such Local Act under the alterations effected by the former repeal and to be effected by the proposed repeal, it is hereby declared that,—

The purposes of the unrepealed parts of the Local Act shall be deemed to be purposes of the Local Government Acts aforesaid so far as concerns any provisions whatsoever locally in operation of the same Acts. And in like manner the purposes of the said Local Government Acts, so far as operative, shall be deemed to be purposes of the Local Act so far as concerns the unrepealed parts thereof. And references to rates, to penalties, to damages, to expenses, and other matters contained in the Local Act, and in the portions incorporated of the Commissioners Clauses Act, 1847, and Towns Improvement Clauses Act, 1847, shall be construed to mean rates leviable, penalties recoverable, damages and expenses ascertainable and recoverable, and corresponding matters under the Local Government Acts, the said Acts being construed together.

3.—All expenses incurred or to be incurred under the unrepealed parts of the said Local Act or the provisions in operation either heretofore or hereunder of the Local Government Acts or any of them, whether for sewers and for outfall works and reservoir and works for flushing sewers and for drains and for private improvements or other purposes whatsoever, shall be borne by the rates and charges leviable in the District or any part thereof under the Local Government Acts aforesaid, or by monies borrowed on such rates or charges according to the regulations of the same Acts, as if the purposes for which such expenses have been or shall be incurred were purposes of such Local Government Acts.

4.—The General District Rate, according to the said Local Government Acts, shall be levied by the Commissioners for the satisfaction of undischarged debts and expenses of the Commissioners (including mortgage debts), as well those due on or payable out of the Town Rate or other general rate over the District as those due on or payable out of any Special District Rate extending over the same area, and such undischarged debts and expenses may be paid either by such General District Rate or by monies borrowed on such rate.

5.—The receipt of the Commissioners or their Treasurer, or any other person appointed by them to receive the same, for all monies to be borrowed shall be an effectual discharge for the same; and the persons or person advancing or lending the same shall not be bound or concerned on any account to see to the application thereof or any part thereof, nor be responsible for any misapplication.

6.—Notwithstanding the repeal of portions of the Local Act above mentioned all rates, contracts, debts, liabilities, securities, appointments, and retainers of officers and servants, law proceedings, byelaws, regulations, and other matters and things already made, done, given, entered into, executed, or instituted by or against the Commissioners under the Local Act or the provisions heretofore in operation of the Local Government Acts, or with reference to the purposes of the same respectively, shall be proceeded and dealt with, paid, maintained, and enforced (subject to the modification as to rates and charges aforesaid) under the Local Act and parts in operation of the Local Government Acts as if the same arose thereunder.

7.—This Order shall be without prejudice to the powers and provisions of the Local Act relating to gasworks and supply, to markets and tolls, and to police, and to coke, which shall all have the same relation to the altered law as they bore to the original.

Given under my hand this Sixth day of April, in the year One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

SCHEDULE referred to in the preceding Order.

The parts of the herein-before recited Local Act (16th and 17th Victoria, chapter 118), repeal of which is above ordered, are as follows:—

To be repealed.	*To be retained.*
Section 37. Proportion at which land, &c., is to be rated.	All except sections 36, 37, 38, 39, 40, and the parts repealed or to be repealed of 41, 42, 14, and 21.
Section 38. Rule for rating canals, towing paths, and railways.	
Section 40. Instalments repaying loans.	
Sections 41, 42. (Rule of priorities in application of funds) so much as it differs from the directions of the Local Government Acts as to paying off principal monies.	
Section 14. So far as thereby are incorporated any sections of the Commissioners Clauses Act, 1847, except those set opposite hereto.	Commissioners Clauses Act, 1847:
	Sections 6 to 16 both inclusive. (Qualification of Commissioners.)
	Sections 17 to 35. Both inclusive. (Election and Rotation of Commissioners.)
	Sections 36 to 55. Both inclusive. (Meetings and other proceedings of Commissioners and their liabilities.) Together with the rule of interpretation. Local Act, section 5.

To be repealed.		*To be retained.*
Section 21.	So far as thereby are incorporated any sections of the Towns Improvement Clauses Act, 1847, except those set opposite hereto. But this repeal is not to affect any clauses incorporated by the unrepealed part of the Local Act or the provisions locally in operation of the Local Government Act, 1858.	Towns Improvement Clauses Act, 1847 : Section 31. (Vaults, &c. under carriageway of streets.) Sections 45 and 46. (Inspection, &c. of drains, privies, and cesspools.) Section 53. (Paving, &c. Streets not yet paved, &c.) So far as concerns streets being public highways. Sections 116, 117, 118. (Lodging houses.) Section 135. (Recreation grounds). And Sections, 136, 137, 138, 139, 140, 141. (Bathing places.) Except in Sections 135, 136, the words "by a special order as herein-defined, but not otherwise," and the words having reference to the inspector. Together with the aforesaid rule of interpretation.

WEST COWES.

Provisional Order altering a Local Act in force in the District of West Cowes.

WHEREAS a Petition under the provisions of the Local Government Act, 1858, has been duly presented to me, as One of Her Majesty's Principal Secretaries of State, from the Local Board of Health for the District of West Cowes, in the Isle of Wight, praying for an alteration of a certain Local Act of 56 George 3. cap. 25., intituled "An Act for paving, lighting, cleansing, and "otherwise improving the town of West Cowes in the Isle of Wight, in the "county of Southampton, and for establishing a market within the said town :"

AND WHEREAS it is by section 13. of the said Act enacted :

"That it shall be lawful for the said Commissioners to add to the wharf or "landing place situate opposite the place called Feathers Hill within the said "town, and to extend the same eastward, or in such other direction as may be "thought proper, into Cowes Harbour, so far as to enable vessels to lay alongside, and to land and ship goods and passengers thereon and therefrom, and "of such width as may be necessary for that purpose, and to erect, build, and "set up such cranes and other machinery as they the said Commissioners shall "think necessary and proper for the landing and shipping of passengers, goods, "wares, and merchandises, and from time to time to repair, amend, and keep "in repair the said quays, wharfs, landing places, and other works, by and out "of the rates and assessments to be raised and collected by virtue of this Act; "and it shall be lawful for the said Commissioners from time to time to "demand, accept, receive, take, and recover of and from all and every passenger,

" senger and passengers, and other person who shall land on the said landing " place, quays, wharfs, or other works, or embark or go on board any vessel, " boat, wherry, or other machine whatsoever from the said landing place, " quays, wharfs, and works, or any of them, and for all and every cattle, stock, " goods, wares, and merchandises, and other matters and things whatsoever, " that shall or may be landed, unladen, shipped, laden, unshipped, or otherwise " taken from or placed on the said landing-place, quays, wharfs, or works, or " any part thereof, and for all and every other use that shall be made of the said " landing-place, quays, wharfs, or works, or any part thereof, the several tolls, " rates, duties, dues, and payments mentioned and specified in the first schedule " to this Act annexed, or such less tolls, rates, dues, and duties as the said Com- " missioners shall from time to time think proper, which tolls, rates, duties, and " payments shall be vested in the said Commissioners, and shall be paid and " applied in such and the same manner as the rates and assessments to be levied " and raised for the repairing and amending the highways, streets, ways, paths, " passages, and the said landing-places, quays, wharfs, and works, and for erecting " and maintaining a market-house and market in the said town, are directed to " be paid and applied, and in aid and addition thereto: Provided always, " that nothing in this Act contained shall extend or be construed to extend to " authorize or empower the said Commissioners to demand, collect, or receive of " and from the person or persons for the time being occupying the messuage or " dwelling house called the Torbay Boats in the said town any tolls, rates, or " duties for landing on or embarking from the said landing-place, quays, wharfs, " or works, or for any goods, wares, merchandises, cattle, or other thing, the " property of and actually belonging to him, them, or any of them, which shall " or may from time to time be landed or embarked from the said landing-place, " quays, wharfs, and work, or any part thereof:"

And whereas the wharf or landing-place opposite the said place called Feathers Hill, being the place by the said Act to which the said Commissioners had the power to add to and extend so as to enable vessels to lay alongside, and to lay and ship goods and passengers thereon and therefrom, was, after the passing of the said Act, found to be a locality unsuited for such purpose, and in consequence such wharf or landing-place has never been added to or extended, and the tolls which would have been received if such addition or extension had taken place have never been received:

And whereas the said Local Board of Health set forth in the said petition that there is another wharf or landing-place within the said town, which landing-place is called the Fountain Slipway, where vessels may lie alongside, goods and passengers may conveniently land and be shipped, that such landing-place is immediately opposite the Railway Terminus, and in all respects a desirable locality for the purpose; and they therefore pray that the said Act may be amended by inserting the words, " And it shall be lawful for the said Local Board to add to the wharf or landing-place called the Fountain Slipway," instead of the words " to add to the wharf or landing-place situate opposite the place called Feathers Hill," and, by such other alterations and amendments as may be requisite, to transfer the powers now given in relation to the landing-place opposite Feathers Hill to the landing-place called the Fountain Slipway:

And whereas the said messuage or dwelling house called the Torbay Boats, in the said town, is part of the property held under the will and codicils of

George

George Ward, late of Northwood Park, Cowes, and a certain messuage or dwelling house called the Fountain Hotel, situate close to the said Fountain Slipway, is also part of the property held under the same will and codicils, and it is expedient that if the alteration prayed for in the petition of the said Local Board be granted the words "Fountain Hotel" should be substituted in the said recited thirteenth section of the said Act instead of the words "Torbay Boats:"

And whereas, in pursuance of the Local Government Act, 1858, inquiry has been made in the said district in respect of the several matters mentioned in the said petition; and it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

The said Local Act shall be altered first by the substitution in the thirteenth section of such Act (56 Geo. 3. cap. 25) of the words "it shall be lawful for "the Local Board of Health for the District of West Cowes to add to the wharf "or landing place called the Fountain Slipway," instead of the following words in the said section, "it shall be lawful for the said Commissioners to add to "the wharf or landing-place situate opposite the place called Feathers Hill;" and the aforesaid Local Board of Health shall have all the powers transferred to them with respect and in relation to the said wharf and landing-place called the Fountain Slipway which the Commissioners aforesaid possessed in relation to the wharf or landing-place opposite Feathers Hill, in the herein-before recited section of the said Local Act mentioned, anything in such Act to the contrary notwithstanding. And, secondly, the said Local Act shall be altered by the substitution in the same section of the said Act of the words "Fountain Hotel," instead of the words "Torbay Boats" in the said section, and the occupier or occupiers for the time being of the said messuage or dwelling house called the Fountain Hotel shall have all the rights and privileges of the said section given to the occupier or occupiers for the time being of the said messuage or dwelling house called the Torbay Boats.

Provided always, that, inasmuch as the Fountain Pier immediately to the northward of the Fountain Slipway is private property, forming part of the estate held under the said will and codicil of the said George Ward, deceased, the following provisions shall have full effect; that is to say,—

The said Local Board shall not do any act, matter, or thing whatsoever which shall or may cause any obstruction or impediment whatsoever to the passing or repassing or to the traffic of any steamers or other vessels which may approach, depart from, or use, or attempt to approach, depart from, or use, the said quay called or known as the Fountain Quay, or the pontoon or landing stage, for the purpose of landing or embarking passengers, goods, or otherwise; neither shall the said Local Board do or omit, or permit to be done or omitted, at any time hereafter, any act, matter, or thing soever which shall be a breach in the perform-

ance or observance of any of the covenants on their part contained in a certain indenture of lease dated the second day of April one thousand eight hundred and sixty-seven, and made between William George Ward, of Northwood Park aforesaid, Esquire, (the present tenant under the said will and codicils,) of the one part, and the said Local Board of the other part, whereby a certain causeway called the New Fountain Causeway, partly adjoining the said Fountain Slipway, was demised to the said Local Board for the term, and at the rent, and subject to the covenants, provisoes, and agreements mentioned in the said indenture of lease.

Given under my hand this Twentieth day of April One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

ACCRINGTON.

Provisional Order for extending the Borrowing Powers of the Accrington Local Board of Health.

Whereas the Local Board of Health for the District of Accrington, in the County of Lancaster, require to carry out, under the provisions of the Local Government Act, 1858, works of a permanent nature, including works of sewerage and water supply, within their District; but the sum that will be required to carry out and complete the said works will exceed the assessable value for one year of the premises assessable under the said Act within such District:

And whereas the said Board have now, under the authority of the 78th section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow or reborrow any sum or sums on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Local Government Act, 1858, any sum or sums not exceeding in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order, under my hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board of Health for the District of Accrington, in the County of Lancaster, shall have power and authority to borrow any sum or sums for the execution and completion of the aforesaid works, being works of a permanent nature, on mortgage of the rates leviable by the Local Board of Health aforesaid, under the aforesaid Act, the said sum or sums not exceeding in the whole two years' assessable value of the premises assessable under such Act within the aforesaid District; the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eleventh day of May One thousand eight hundred and sixty-seven.

(Signed) S. H. Walpole.

Local Government Supplemental (No. 2).

A

B I L L

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Sheffield, Derby, Sherborne, Royton, Bedford (Lancashire), Slough, Sandown, Burton-upon-Trent, West Cowes, and Accrington.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater Booth.*)

Ordered, by The House of Commons, *to be Printed*, 21 *May* 1867.

[Bill 167.]

Under 4 *oz.*

LORDS AMENDMENTS

TO THE

LOCAL GOVERNMENT SUPPLEMENTAL (No. 2.) BILL.

Note.—*The Page and Line refer to the Bill* (119.) *as printed by the Lords.*

In the Title.

Line 8. After ("Accrington") insert ("and for other Purposes")

Page 2.

Line 4. After ("Act") insert Clause A.:

CLAUSE A. Effect of Section 47 of Sanitary Act, 1866.

Whereas Doubts have arisen with respect to the Effect of Section Forty-seven of the Sanitary Act, 1866, and it is expedient that those Doubts be set at rest: Therefore that Section has no Effect with respect to the Local Government Supplemental Act, 1865 (No. 4.), or the Provisional Order which is set forth in the Schedule to that Act annexed, or any of the Subject Matters of that Provisional Order.

[Bill 218.]

LORDS AMENDMENTS

TO THE

LOCAL GOVERNMENT SUPPLEMENTAL (No. 2.) BILL.

Ordered, by The House of Commons, *to be Printed*, 2 *July* 1867.

[Bill 218.]

Under 1 *oz.*

A

B I L L

TO

Confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the District of Halifax; and for other Purposes relative to the said District under that Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made a certain Provisional Order relating to the District of Halifax, in the County of York, which is contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Order shall be of any Validity whatever until it shall have been confirmed by Parliament; and it is expedient that the said Order should be so confirmed, and other Provisions made in relation to the aforesaid District of Halifax: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as it is authorized Confirmation of Provisional Order

relative to Halifax.

authorized by the Local Government Act, 1858, and the Acts incorporated therewith, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Local Board to complete Street Improvement;

2. The said Local Board shall and they are hereby required, within the Space of *Eighteen Months* from the Date of the Act confirming the Halifax Order, to make, construct, and complete the Street Improvement (Q) in the Schedule to the said Order annexed, and according to the Plan produced before and signed by Arnold Taylor, Esquire, the Inspector, and attached to his Report addressed to the Secretary of State for the Home Department, the said Street Improvement to include the Road coloured Blue and Lilac on such Plan, and also so much only of the Road coloured Pink upon the said Plan as lies West of the said Road coloured Blue and Lilac, and extending therefrom to New Bank; and in the Construction of the said Road the said Local Board may and they are hereby authorized to deviate laterally to the Extent of not exceeding Fifty Feet from the Street Line shown on the said Plan with respect to the Lands coloured Pink, and numbered thereon 13 to 24, both inclusive.

Thereupon Section 56. of Halifax Extension and Improvement Act, 1865, repealed.

3. Upon the Construction of the said Street Improvement as above described the Fifty-sixth Section of "the Halifax Extension and Improvement Act, 1865," shall be taken to be repealed, and shall be repealed accordingly.

Section 98. of said Act applied to all Street Improvements.

4. The Powers conferred by and the Provisions of Section 98. of the "Halifax Extension and Improvement Act, 1865," shall, from and after the *passing of this Act*, apply to all duly authorized Street Improvements within the said Borough and District of Halifax.

Period for compulsory Purchase of Lands.

5. The Powers for the compulsory Purchase of Lands for the Purposes of the Street Improvement authorized by the Halifax Provisional Order herein-before referred to may be exercised until after the Expiration of *Seven Years* from the Date of the passing of the Act confirming such Order, save and except for the Purchase of the Lands comprised in Street Improvement (Q), which the Halifax Local Board of Health have undertaken and are required to complete within Eighteen Months from the passing of the Act confirming the Provisional Order aforesaid.

Arrangement as to Street Improvements.

6. Whereas by a Provisional Order relating to the Borough of Halifax, dated the Twenty-eighth Day of March One thousand eight hundred and sixty-two, and confirmed by the Local Government

ment Supplemental Act, 1862, the Mayor, Aldermen, and Burgesses of the Borough, by the Council of the Borough, being the Local Board of Health for the District of such Borough, were authorized to purchase compulsorily divers Lands and Buildings for the Improvement of divers Streets in the Borough: And whereas by Agreement with that Local Board "John Crossley and Sons, Limited," are improving Two of those Streets, called respectively Dean Clough and Angel Road: And whereas it would be a public Improvement if there were substituted for Dean Alley, situate in the Lands of "John Crossley and Sons Limited," and leading from Dean Clough to Crib Lane in the said Borough, and which is circuitous and inconvenient, a new, shorter, and more convenient Thoroughfare according to a Plan thereof approved by that Local Board, dated the Sixth Day of June One thousand eight hundred and sixty-six, and which substituted Roadway "John Crossley and Sons, Limited," are willing to make: Therefore "John Crossley and Sons, Limited," shall make, to the reasonable Satisfaction of the said Local Board, a new and convenient Thoroughfare from Dean Clough to Crib Lane according to the said approved Plan, a Copy of which is deposited with the Surveyor of the said Local Board, whereupon Dean Alley shall not again be used as a Thoroughfare, but shall vest in "John Crossley and Son Limited," for an Estate in Fee Simple absolute.

7. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

8. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867," (No. 3.)

SCHEDULE containing the Provisional Order referred to in the preceding Act.

HALIFAX.

Provisional Order putting in force The Lands Clauses Consolidation Act, 1845, within the District of the Halifax Local Board of Health, for the Purchase of Land by the said Board for Street Improvements.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Halifax in the county of York, by the Council of the said Borough, being the Local Board of Health in and for the district of the said Borough to which The Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by "The Public Health Supplemental Act, 1851," (No. 3), have, in pursuance of the provisions of the 75th section of The Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State for authority to put in force The Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of widening, opening, enlarging, and improving certain streets and highways in the said Borough, such land and buildings being all situate within the District of the said Local Board of Health:

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such petition prayed that the said Board might, with reference to such lands and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said district, and the said Inspector has now inquired, in the district aforesaid, into the subject matter of such Petition, and has duly reported thereon:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by The Local Government Act, 1858, make order and direct,—

That from and after the passing of any Act of Parliament confirming this Order,

1.—The Mayor, Aldermen, and Burgesses of the Borough of Halifax, by the Council of the said Borough, being the Local Board of Health for the District of that Borough, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of The Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand this Twenty-fourth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following. The Plans herein-after mentioned are those referred to and described in the Petition to the Secretary of State, and which were during the period required by Statute deposited for local inspection at the Office of the Town Clerk, Halifax, and were further sealed with the Halifax Corporate Seal.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
PART (A.)			
NEW STREET FROM PELLON LANE TO GREEN LANE, AND GREEN LANE IMPROVEMENT. *Plan on Sheets Nos. 1 and 2, and Section of Street from Pellon Lane to Green Lane on Sheet No. 12.*			
Private Road - -	1	Henry Oates, James Holroyd Oates, and William Henry Thompson.	Henry Oates, James Holroyd Oates, and William Henry Thompson.
Pasture Field - -	2	John Gott and Thomas Adam.	William Smith.
Buildings and Rope Walk	3	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	Thomas Mooney.
Vacant Land - -	4	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Vacant Land - -	5	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Land and Quarries -	6	John Gott and Thomas Adam.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Land and Quarry -	7	John Crossley and Sons (Limited).	John Smith.
Cottage, Outbuildings, Workshop, and Conveniences.	8	John Crossley and Sons (Limited).	John Smith and Amos Speight.
Cottage, Outbuildings, and Conveniences.	9	John Crossley and Sons (Limited).	Amos Speight.
Land - - -	10	John Crossley and Sons (Limited).	John Smith.
Land and Quarry -	11	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
PART (B.)			
MCKNIGHT'S BUILDINGS IMPROVEMENT. *Sheet 3.*			
Dwelling House - -	12	Thomas Sutcliffe - -	Elimas Kelly, Hudson Lister.
Dwelling House - -	13	Mary Gill - - -	Samuel Wood.
Wall and Yard - -	14	Mary Gill - - -	Samuel Wood.
Private Road - -	15	Mary McKnight - - Richard Whitaker, John Taylor, and Henry Taylor.	Hannah Hanson, John Bates, Alfred Thomas Metcalfe Abraham Stansfield, Edward Greenwood, George Pickles, Samuel Lumb, Samuel Mitchell, John Culpan, John Thomas. Joseph Woodhead, Richard Whitaker, Joseph Hoyle, Edmund Oldfield, Benjamin Collins, William Wade.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
		PART (C.)	
		NORTH BRIDGE IMPROVEMENT.	
		Sheet 3.	
Garden and Wall	16	Dickinson Edleston and Robert Edleston.	Richard Whitaker John Bowker.
Public Highway	17	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	
Yard or Vacant Land	18	Samuel Bold Tillotson	Thomas Taylor.
House and Shop	19	Samuel Bold Tillotson	Thomas Taylor and William Mitchell.
House and Shop	20	Samuel Bold Tillotson	William Mitchell and George Kershaw.
House and Shop	21	Samuel Bold Tillotson	John Sutcliffe William Mitchell.
Public Road	22	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.
Dye Works	23	Edward Akroyd	Ehud Hanson.
Dye Works	24	Edward Akroyd	Ehud Hanson.
Stream	25	Dickinson Edleston and Robert Edleston.	
Dye Works and Yard	26	Dickinson Edleston and Robert Edleston.	Ehud Hanson.
Dye Works and Yard	27	Dickinson Edleston and Robert Edleston.	Ehud Hanson.
		PARTLY IN THE TOWNSHIP OF HALIFAX AND PARTLY IN THE TOWNSHIP OF NORTHOWRAM.	
Half the Bed of the Hebble Brook.	28	Dickinson Edleston and Robert Edleston.	Dickinson Edleston and Robert Edleston.
The North Bridge	29	The Mayor, Aldermen, and Burgesses of the Borough of Halifax.	
		IN THE TOWNSHIP OF NORTHOWRAM.	
Land and Railway Works and Half Stream called the Hebble.	30	Halifax and Ovenden Junction Railway Company.	Halifax and Ovendon Junction Railway Company.
Land	31	George Watkinson	John Berry.
		PART (D.)	
		PARK ROAD IMPROVEMEMT.	
		Sheet 3.	
Beerhouse and Gallery	32	Joseph Drake, senior	Joseph Drake, senior.
House and Shop	33	Joseph Drake, senior	Samson Clay.
Cottage	34	Anthony Bancroft	Jonas Mitchell, and Mary Kitchen.
		PART (E.)	
		NEW BANK IMPROVEMENT.	
		Sheet 3.	
Greengrocer's Shop	35	Hannah Barraclough and James Barraclough.	Simeon Townsend, George Gath.
Shops and Foundry Shed	36	Hannah Barraclough and James Barraclough.	Michael Booth, John Berry, and Kenyon Feather.
Shops and Foundry Shed	37	Hannah Barraclough and James Barraclough.	John Berry, Alfred Clay, Matthew Moorhouse, Thomas Robinson.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Yard	38	Hannah Barraclough and James Barraclough.	John Berry.
Foundry and Yard	39	Hannah Barraclough and James Barraclough.	Charles Crossley, Charles Crossley, junior, John Thomas Crossley, and Walter Edwin Crossley.
Garden	40	Hannah Barraclough and James Barraclough.	Charles Crossley, Charles Crossley, junior, John Thomas Crossley, and Walter Edwin Crossley.
Shops	41	Joseph Horner	James Walker and Isaac Hanson.
Beerhouse	42	Joseph Horner	James Walker.
Shop and Dwelling House	43	Daniel Bancroft	Daniel Bancroft.
Shop and Dwelling House and Cellar Cottage.	44	James Stocks	William Holdsworth Jane Goodall.
Shop and Dwelling House	45	James Stocks	James Priestley.
Shop and Dwelling House	46	James Stocks	John Holroyd.
Yard	47	Hannah Barraclough and James Barraclough.	John Berry.
Dwelling House and Conveniences.	48	Hannah Barraclough and James Barraclough.	John Berry Thomas Berry.
Shop and Dwelling House	49	Hannah Barraclough and James Barraclough.	Edwin Brearley.
Privy and Ashplace	50	John Firth and Samuel Firth.	Thomas Hirst, Thomas Scott, Joseph Jowett, John Berry, James Whipp, Robert Coe, Thomas Wilson.
Shop and Cottage	51	John Firth and Samuel Firth.	Thomas Hirst and James Whipp.
Cottage	52	John Firth and Samuel Firth.	John Berry.
Cottage	53	John Firth and Samuel Firth.	Robert Coe.
Cottage	54	John Firth and Samuel Firth.	Thomas Wilson.
Cottage and Chamber over.	55	John Firth and Samuel Firth.	Thomas Scott and Joseph Jowett.
Yard, Steps, Privy, and Ashes-place.	56	Mary Fairclough	John Walker, Thomas Pickles, John Walker, John Hallinson, Thomas Myers, John Crawshaw, Ruth Burton, Charles Crossley.
Yard, Steps, Privy, and Ashes-place.	57	William Smith, (Executor and Trustee of Matthew White Booth, deceased.)	Thomas Bullar, William King, Joseph Pollard, Joseph Milner. Jane Lightowler, Isaac Townsend, Sarah Firth.
Yard and Steps	58	Edward Rawnsley	William Pickles, John Scott, Isaac Holroyd, Henry Jackson, James Rhodes, Thomas Brearley.
Steps and Passage	59	Mary Fairclough	David Wadsworth, William Barker, Abraham Holroyd, John Broadbent, Elijah Mitchell.
Yard	60	William Smith	Joseph Pollard and Sarah Firth.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Coal-place and Stable -	61	John Haigh Fuller and John Hodgson Wright.	John Hanson.
Coal-place and Stable -	62	John Haigh Fuller and John Hodgson Wright.	John Hanson.
Cottage - - -	63	John Haigh Fuller and John Hodgson Wright.	John Toothill.
Cottage - - -	64	John Haigh Fuller and John Hodgson Wright.	Samuel Brown.
Cottage - - -	65	John Haigh Fuller and John Hodgson Wright.	Samuel Brown.
Privy, Ashes-place, and Steps.	66	Edward Rawnsley - -	Hiram Lord, Francis Swift, Richard Ingham, John Holdsworth, James Holmes, Sarah Rhodes, Thomas Brearley, James Rhodes, Henry Jackson, Isaac Holroyd, John Scott, William Pickles.
Cottage - - -	67	Edward Rawnsley - -	Hiram Lord.
Cottage - - -	68	Edward Rawnsley - -	Francis Swift.
Cottage - - -	69	Edward Rawnsley - -	Richard Ingham.

PART (F.)

RANGE BANK IMPROVEMENT.

Sheet 3.

Beerhouse and Yard -	70	John Price - - -	Alfred Lupton, James Charnock, John Foster, and William Hirst.
Cellar or Outbuilding -	71	John Price - - -	Alfred Lupton, James Charnock, John Foster, and William Hirst.
Pasture Field - -	72	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Private Road - -	73	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Wall and Yard - -	74	Joseph Senior - -	Jeremiah Crook, Susannah Johnson, John Bottomley, James McCormack, Samuel Jackson, Samuel Hooson, Thomas Townsend.
Pasture Field - -	75	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.
Plantation - -	76	John Whiteley Ward and Christopher Ward.	John Whiteley Ward and Christopher Ward.

SPRING FIELD IMPROVEMENT.

Sheet 3.

Fence Wall - - -	77	William Thomas and William Craven, or one of them.	——

PART (H.)

LOWER HOPE STREET IMPROVEMENT.

Sheet 5.

Passage - - -	86	James Crowther - - (Trustee for John Dewhirst, deceased,) and George Craven.	John Wilcock, Mark Wilcock, Martha Thompson, John Cordingley,

(*Continued.*)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
(*Continued.*)			William Wilcock, William Hanson, William Watson, Samuel Smith, Thomas Gaukroger.
Garden - - -	87	George Craven - -	John Wilcock.
Garden - - -	88	George Craven - -	Mark Wilcock.
Garden - - -	89	George Craven - -	Martha Thompson.
Garden - -	90	George Craven - -	John Cordingley.
Garden - - -	91	George Craven - -	William Wilcock.
Garden - - -	92	George Craven - - -	William Hanson.
Garden - - -	93	James Crowther - - (Trustee for John Dewhirst, deceased).	William Watson.
Garden - - -	94	James Crowther - - (Trustee for John Dewhirst, deceased).	Samuel Smith.
Garden - - -	95	James Crowther - - (Trustee for John Dewhirst, deceased).	Thomas Gaukroger.
Garden, Privy, and Ash-pit.	96	Ann Stancliffe - -	James Greenwood.
Garden, Privy, and Ash-pit.	97	Ann Stancliffe - -	John Dearden.
Garden, Privy, and Ash-pit.	98	Ann Stancliffe - -	Edwin Royston.
Garden, Privy, and Ash-pit.	99	Ann Stancliffe - -	Thomas Grayston.
Garden, Privy, and Ash-pit.	100	Jabez Bunting Farrar -	Squire Eastwood.
Garden - - -	101	James Bairstow - - Ann Shields, Mary Hannah Ellison, Elizabeth Chappell.	James Bairstow.

PART (I.)

HOPWOOD LANE IMPROVEMENT.

Sheet 5.

House and School -	102	Joseph Keighley - - James Loutit, William Mewburn, Thomas Mitchell, George Patchett, James Thomas, James Russell.	George Brearley and Frank Schofield.
Wash Kitchen and Yard	103	Mary Bairstow - -	Albert Kenyon and Henry Horsfall.
Garden - - -	104	Mary Bairstow - -	John Riley.
Garden - - -	105	Elizabeth Bland - -	Elizabeth Bland.
Dwelling House -	106	Elizabeth Bland - -	Mary Hannah Booth.
Passage - -	107	Elizabeth Bland - -	Mary Ann Robinson, George Washington, George Davenport, Joseph Ogden, John Robertson, John Bedford.
Coal-place and Wash Kitchen.	108	Elizabeth Bland - -	Sidney Smith, Mary Ann Robinson, George Washington, George Davenport, Joseph Ogden, John Robertson, John Bedford.
Dwelling House -	109	Elizabeth Bland - -	Sidney Smith.
Dwelling House -	110	Elizabeth Bland - -	John Hall.
Passage - -	111	Elizabeth Bland - -	Thomas Walker and Joseph Blakey Spencer.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Warehouse and Paint Shop.	112	Elizabeth Bland - -	James Thomas, Richard Robert Thomas, and James Briggs.
Yard - - -	113	John Richard Ingram and George Baines	John Crossley and John Ingham.
Yard - - -	114	John Richard Ingram and George Baines	John Crossley and John Ingham.
Garden - - -	115	John Richard Ingram and George Baines	John Richard Ingram and George Baines.
Garden - - -	116	John Richard Ingram and George Baines.	John Crossley and John Ingham.
Beerhouse - -	117	Mary Ann Sunderland -	Job Aspinall, William Aspinall, Dan Sutcliffe.
Shop - - -	118	Mary Ann Sunderland -	Thomas Moorhouse.
Shop - - -	119	Mary Ann Sunderland -	George Walker.
Yard - - -	120	Mary Ann Sunderland -	Thomas Moorhouse and John Dickson.
Stable - - -	121	Mary Ann Sunderland -	John Dickson.
Shop and Warehouse -	122	Ann Horsfall - -	William John Horsfal.
Shop - - -	123	The Governors of the United Charities of Nathaniel Waterhouse.	Eagland Bray.

PART (J.)

BULL GREEN IMPROVEMENT.

Sheet 5.

The White Hart Inn -	124	Thomas Longbottom -	Allen Midwood.
Stable and Yard -	125	Thomas Longbottom -	Allen Midwood.
Dwelling House and Workshop.	126	Christopher Taylor Rigge -	Samuel Pickles and Sidney Rawnsley.
Stable and Yard -	127	William Garlick - -	Jonathan Shaw.
Urinal and Land -	128	The Mayor, Aldermen, and Burgesses of the Borough of Halifax as the Halifax Local Board of Health.	
Ashes-place and Middenstead.	129	William Garlick - -	Herbert Shepherd, Samuel Benson, George Hagan, Mary Hanson, William Henry Crapper.
Yard - - -	130	William Garlick - -	John Wood, Betty Pickering, Joseph Cooper, John Bottomley, John Wright, John Holroyd, Ann Trotter, Thomas Hartley, William Mallinson, Peter Pickering, Thomas Lees, Herbert Shepherd, Samuel Benson, George Hagan, Mary Hanson, William Henry Crapper.
Outbuilding - -	131	William Garlick - -	Samuel Benson, George Hagan, Herbert Shepherd.
Dwelling House - -	132	William Garlick - -	John Wood and Betty Roberts.
Dwelling House - -	133	William Garlick - -	John Wood.
Dwelling House - -	134	William Garlick - -	Herbert Shepherd.
Dwelling House - -	135	William Garlick - -	Samuel Benson.
Cottage - -	136	William Garlick - -	Ann Trotter.
Dwelling House and Shop.	137	William Garlick - -	William Mallinson and Joseph Dennis.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Privy and Ashes-place -	138	William Garlick - -	Edward Shoesmith, Alfred Hobson, Benjamin Crapper, James Thackrah, Catherine Carter.
Stable and Pigstye -	139	William Garlick - -	Edward Shoesmith.
Yard - - -	140	William Garlick - -	Edward Shoesmith, Alfred Hobson.
Warehouse - -	141	William Garlick - -	Alfred Hobson.
Cottage - - -	142	William Garlick - -	Benjamin Crapper.
Warehouse - -	143	William Garlick - -	Thomas Rigby.
Cottage - -	144	William Garlick - -	James Clegg.
Cottage - - -	145	William Garlick - -	Edward Shoesmith.
Shop and Dwelling House	146	William Garlick - -	Edward Shoesmith.
Passage - -	147	William Garlick - -	Edward Shoesmith, Alfred Hobson, Benjamin Crapper, James Thackrah, Catherine Carter.
Cottage - - -	148	William Garlick - -	Alfred Hobson.
Cottage - -	149	William Garlick - -	James Thackrah.
Cottage - - -	150	William Garlick - -	Catherine Carter.
Cottage - -	151	William Garlick - -	Caroline Smith and Charles Whiteley.
Cottage and vacant Land	152	William Garlick - -	Caroline Smith, Charles Whiteley, and Thomas Hartley.
Cottage - -	153	William Garlick - -	Thomas Hartley.
Dwelling House - -	154	William Garlick - -	Joseph Wright.
Dwelling House - -	155	William Garlick - -	John Bottomley.
Dwelling House - -	156	William Garlick - -	Joseph Cooper.
Cottage - -	157	William Garlick - -	Charles Whiteley.
Blacksmith's Shop -	158	William Garlick - -	Joseph Cooper.
Dwelling House - -	159	William Garlick -	Mary Hanson.
Dwelling House - -	160	William Garlick - -	William Henry Crapper.
Dwelling House - -	161	William Garlick - -	George Hagan.
Warehouse - -	162	John Pulman - -	Joseph Sugden.
The Golden Plough Inn, Yard, and Outbuildings.	163	Dickinson Edleston and Robert Edleston.	John Braithwaite.
Dwelling House and Shop	164	Hanson Freeman and Thomas Theodore Ormerod.	John Archer.
Dwelling House and Shop	165	Hanson Freeman and Thomas Theodore Ormerod.	John Wilson.
Beerhouse - -	166	Hanson Freeman and Thomas Theodore Ormerod.	Michael Stocks, William Whitworth.
Yard - - -	167	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Pigstye - - -	168	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Bakehouse - -	169	Hanson Freeman and Thomas Theodore Ormerod.	Edward Turner.
Plantation and Road -	170	Hanson Freeman and Thomas Theodore Ormerod.	Thomas Hill.
Stable - - -	171	Hanson Freeman and Thomas Theodore Ormerod.	Thomas Pearson.
Privy and Ashpit -	172	Charles Peel - -	Arthur Whitaker, James Mann, Edward Spencer, James Tiffany, Thomas Lobley, Henry King,
Garden - - -	173	Charles Peel - -	Edward Spencer and James Tiffany.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Shop - - -	174	Joseph Vickerman - -	Edwin Peel.
Garden and Yard -	175	Joseph Vickerman - -	Christiana Metcalfe.
Garden and Yard -	176	Joseph Vickerman - -	Martha Mallinson.
Garden - - -	177	William Denton - -	Harriet Eliza Smith.
Garden - - -	178	William Denton - -	Amos Rushworth.
Passage - - -	179	William Denton - -	Harriet Eliza Smith, Amos Rushworth, Ann Greenwood, William Richardson, William Leigh, James Wild, Ellen Walker, James Brearley. Joseph McAcy, Sarah Howarth, Elizabeth Fidler.
Garden - - -	180	William Denton - -	Sarah Howarth.
Garden - - -	181	William Denton -	Elizabeth Fidler.
Dwelling House -	182	John William Balme and John Pritchard.	Joseph Savile Stott.
Garden - - -	183	John William Balme and John Pritchard.	Joseph Savile Stott.
Road - - -	184	John William Balme and John Pritchard.	Joseph Savile Stott, John William Balme and John Pritchard.
Garden and Summer House.	185	John William Balme and John Pritchard.	Joseph Savile Stott.

PART (K.)

SADDLE INN AND RUSSEL STREET IMPROVEMENTS.

Sheet 6.

Dwelling House and Cellar Cottage.	186	George Armitage - -	James Lister, Stephen Gledhill, and John Riley.
Shop and Dwelling House	187	Thomas Spencer - -	John Rawson.
Shop and Dwelling House	188	Thomas Spencer -	John Naylor.
Shop and Dwelling House	189	Thomas Spencer - -	Hannah Elizabeth Davison.
Passage - - -	190	Jonathan Knowles -	Hannah Elizabeth Davison, Stephen Gledhill, Samuel Hanson, John Rawson, and John Naylor.
Shop - - -	191	Jonathan Knowles - -	Stephen Gledhill.
Shop - - -	192	Jonathan Knowles -	Paul Greenwood.
Public House called "The Saddle Inn."	193	Jonathan Knowles -	Hanson Brierley and Abraham Wharton.
Shop - - -	194	Jonathan Knowles -	Samuel Womersley.

PART (L.)

SQUARE ROAD IMPROVEMENT.

Sheet 6.

Shop and Dwelling House	195	Sir John Selwin, Bart. -	William Shoebridge.
Wool Warehouse, Yard, Cellar, and Steps.	196	Sir John Selwin, Bart. -	Samuel Whitaker, Walter Broadhead, William Sunderland.
Yard and Steps -	197	Sir John Selwin, Bart. -	John Stansfield, James Crossley, John Akroyd, James Hirst, William Shoebridge.
Steps and Yard -	198	Sir John Selwin, Bart. -	John Stansfield, James Crossley, John Akroyd, James Hirst, William Shoebridge.
Office - -	199	Sir John Selwin, Bart. -	John Akroyd.
House - -	200	Sir John Selwin, Bart. -	John Crossley.
House - -	201	Sir John Selwin, Bart. -	Edward Parry.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Yard - - -	202	Sir John Selwin, Bart. -	Thomas Adam, Charles Emmet, Edward Parry, John Stansfield and James Hirst.
Area - - -	203	Sir John Selwin, Bart. -	John Crossley, Edward Parry.
Office - - -	204	Sir John Selwin, Bart. -	Thomas Adam and Charles Emmet.
Office - -	205	Sir John Selwin, Bart. -	Thomas Pickard and Edward Stocks.
Yard - -	206	Sir John Selwin, Bart. -	Thomas Pickard.
Yard and Stable -	207	Sir John Selwin, Bart. -	James Parrish.
Warehouse, Steps, and Yard.	208	Sir John Selwin, Bart. -	William Brown.
Wall and Yard - -	209	William Walton - -	William Horsfall.
Foundry - -	210	William Walton - -	William Horsfall.
Hatter's Fold - -	211	Evan Charles Sutherland Walker.	Edward Wild, Thomas Kelly, George Whiteley, Winny McMarins, James Helliwell, William Shoesmith, Henrietta Casson, Michael Jenkinson, William Wells, William Booth, William Brear.
Black Horse Yard -	212	Evan Charles Sutherland Walker.	Andrew Dickinson, Leah Denby, James Whiteley.
Yard - - -	213	Evan Charles Sutherland Walker.	James Whiteley, James Crossley Ashworth, Benjamin Naylor, William Smith.
Warehouse - -	214	Evan Charles Sutherland Walker.	William Smith.
House and Outbuildings	215	Sir John Selwin, Bart. -	Mary Womersley.
Yard - -	216	Sir John Selwin, Bart. -	Mary Womersley, Mary O'Dowd, William Smith, James Russell, Elizabeth Smith, Samuel Riley, William Keith, Joseph Brook, Mary Ainsworth, George Jeffery.
Dwelling House -	217	Sir John Selwin, Bart.	George Jeffery.
Yard - -	218	Sir John Selwin, Bart.	Mary Womersley. Mary O'Dowd, William Smith, James Russell, Elizabeth Smith, Samuel Riley, William Keith, Joseph Brook, Mary Ainsworth, George Jeffery.
Dwelling House -	218a	Sir John Selwin, Bart. -	Mary O'Dowd.

PART (M.)

BELL HALL LANE IMPROVEMENT.

Sheets 7 and 8.

Yard, Middenstead, Barn, and Outbuildings.	219	John Waterhouse - Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Stable - -	220	John Waterhouse - Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhil..

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Pasture Field	221	John Waterhouse Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Meadow Field	223	John Waterhouse Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.
Meadow Field	224	John Waterhouse Thomas Robson, and Samuel Waterhouse, M.P.	John Gledhill.

PART (N.)

HIGHROAD WELL IMPROVEMENTS.

Sheet 9.

Yard	226	David Nicholl	George Westwood.
Public Road	227	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Yard	228	William Roberts	Thomas Holden.
Passage	229	William Roberts	William Roberts, Thomas Holden, Richard Mallinson.
Garden	230	William Roberts	Richard Mallinson.
Yard	231	William Roberts	William Roberts.
Garden	232	William Roberts	William Roberts and Thomas Holden.
Passage	234	William Roberts	William Roberts, Thomas Holden, and Richard Mallinson.
Pasture Field	235	William Roberts	William Roberts.
Cottage	236	Elizabeth Casson	Caroline Highley.
Cottage	237	Elizabeth Casson	James Sladdin.
Cottage	238	Elizabeth Casson	James Smith.
Cottage	239	Elizabeth Casson	Jane Turner.
Cottage	240	Elizabeth Casson	Thomas Brooksbank.
Cottage	241	Elizabeth Casson	William Helliwell.
Cottage	242 and 243	Elizabeth Casson	Leah Mitchell.
Cottage	244	Elizabeth Casson	Nancy Gledhill.
Cottage	245	Elizabeth Casson	William Sladdin.
Privy and Ashes-place	246	Elizabeth Casson	Caroline Highley, James Sladdin, James Firth, Jane Turner, Thomas Brooksbank, William Helliwell, Leah Mitchell, Nancy Gledhill, William Sladdin.
Passage	247	Elizabeth Casson and James Thompson.	Caroline Highley, James Sladdin, James Smith, Jane Turner, Thomas Brooksbank, William Helliwell, Leah Mitchell, Nancy Gledhill, William Sladdin, Joseph Hide, George Thompson, Richard Edwards, John Haigh, John Shaw, Thomas Thorp, Thomas Hunt, John Brooksbank, James Mitchell, John Garnett, Lawrence Swithenbank, James Sutcliffe.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Cottage - -	248	James Thompson - -	Jeremiah Whitehead.
Cottage - -	249	James Thompson - -	Charles Garlick.
Garden - -	250	James Thompson - -	Ellen Gledhill, James Edwards.
Outbuildings - -	251	James Thompson - -	James Edwards.
Wall and Land -	252	Joseph Thorp - - Hall Stansfield, William Core Parker, George Webster.	Sidney Brooksbank.
Privy and Ashes-place	253	Joesph Thorp - - Hall Stansfield, William Core Parker, George Webster.	Sidney Brooksbank, Samuel Hargreaves, Frederick Turner, John Lovell.
Outbuildings and Land	254	Joseph Thorp - - Hall Stansfield, William Core Parker, George Webster.	Frederick Turner.
Dwelling House -	255	Joseph Thorp - - Hall Stansfield, William Core Parker, George Webster.	Frederick Turner.

PART (O.)

MOUNT PELLON TO GIBBET LANE, AND HANSON LANE EXTENSION.

Plan on Sheet 10 *and Sections on Sheets Nos.* 12 *and* 13.

Pasture Field -	256	Edwards Dyson - -	William Brear.
Private Road - -	257	Edwards Dyson - -	Henry Sutcliffe Bates, and William Brear.
Pasture Field and Pond	258	Edwards Dyson - -	William Brear.
Pasture Field - -	259	Edwards Dyson - -	William Brear.
Pasture Field - -	260	Edwards Dyson - -	William Brear.
Pasture Field - -	261	Edwards Dyson - -	William Brear.
Pasture Field - -	262	Alice Hoyle - - -	William Asquith.
Public Road - -	263	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Pasture Field - -	263a	Alice Hoyle - - -	William Asquith.
Pasture Field - -	264	John Crossley - -	Timothy Boocock.
Pasture Field - -	265	John Crossley - -	Timothy Boocock.
Pasture Field - -	266	John Crossley - -	Timothy Boocock.
Pasture Field - -	267	John Crossley - -	Timothy Boocock.
Arable Field - -	268	Samuel Webster - -	Samuel Webster.
Public Bridleway -	269	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Pasture Field - -	270	Samuel Webster - -	Job Smithies.
Pasture Field - -	271	Godfrey Wright - -	Henry Marshall.
Pasture Field - -	272	Samuel Webster - -	Isaac Webster.
Private Road - -	273	Godfrey Wright - -	Henry Marshall, Amos Leah.
Cottage - -	274	Godfrey Wright - -	Hannah Wade.
Farmhouse - -	275	Godfrey Wright - -	Henry Marshall.
Privy and Ashplace -	276	Godfrey Wright - -	Henry Marshall and Hannah Wade.
Outbuildings - -	277	Godfrey Wright - -	Henry Marshall, Hannah Wade, and Mary Ann Helliwell.
Yard, Pigstye, and Middenstead.	278	Godfrey Wright - -	Henry Marshall, Hannah Wade, and Mary Ann Helliwell.
Shed and Mistal -	279	Godfrey Wright - -	Henry Marshall.
Pasture Field - -	280	Godfrey Wright - -	Henry Marshall.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
		PART (P.)	
		SHROGGS BOTTOM ROAD, LONG LANE, AND CITY ROAD IMPROVEMENT.	
		Plan on Sheet No. 14 *and Sections on Sheets Nos.* 15, 16, *and* 17.	
Shroggs Bottom Road -	1	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Part of Private Road and Wall.	1a	William Whitworth -	William Whitworth.
House and Shop -	2	James Holt and Richard Holt.	Thomas Stansfield.
Private Road or Yard -	3	James Holt and Richard Holt.	John Gee, Thomas Peel, Mary Drake, James Greenwood, Thomas Broadbent, Thomas Stansfield, George Pilling, John Pilling.
Shop and Dwelling House in course of erection.	4	The Halifax Industrial Society (Limited).	Unoccupied.
Private Causeway -	5	John Crossley and Sons, (Limited).	Isaiah Spencer, Benjamin Woodhead, Mary Smith, Mary Herbert, John Pratt, John Wilkinson, Mary Pickles, and William Sutcliffe.
Pasture Field or Croft -	6	William Whitworth -	William Whitworth.
Private Road - -	7	William Whitworth and Henry Savile, or one of them.	Edward Butler, Martha Stansfield, Solomon Gaskill, Thomas Saxon, Luke Halliday. Jeremiah Cockroft, Joshua Sykes, John Wilkinson, Dennis Sutcliffe, Catherine Johnson, James Pilling, William Harrison, Joseph Ratcliffe, Isaac Broughton, Eli Mitchell, Thomas Holroyd, James Sunderland, James Smith, Richard Brook, Hannah Town, Bridget Ryan, Benjamin Keighley, John Hurley, John Sanders, Benjamin Jones, James Bradford, Daniel Bower, Joseph Shepherd, John Crowther, Samuel Fenton, Thomas Wilson, Henry Broughton, William Roper, David Wright, Lucy Tattersall, John Sutcliffe, Thomas Milnes, Mary Milnes, Job Scott, John Lister,

(*Continued.*)

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
(*Continued.*)			Ellen Ogden, John Wrigley, John Crowther, Emma Bancroft, William Sutcliffe.
Croft and Garden -	8	Henry Savile - -	Daniel Bower.
Croft and Garden -	9	Henry Savile - -	Thomas Milnes.
Steps - - -	10	Henry Savile - -	Thomas Milnes, Henry Broughton, William Roper, David Wright, Lucy Tattersall, John Sutcliffe,
Pasture Field - -	11	Henry Savile - -	Thomas Milnes, Mary Milnes, Job Scott, John Lister, Ellen Ogden, John Wrigley, John Crowther.
Yard - -	12	John Crossley and Sons (Limited).	Thomas Lister.
Dwelling House -	13	John Crossley and Sons (Limited).	Samuel Sheard, Christopher Riley, John Gargans, Patrick Lafferty, Thomas Hogan.
Croft - -	14	Henry Savile - -	Mary Cockroft.
Steps - - -	15	John Crossley and Sons (Limited).	Unoccupied.
Private Road - -	16	John Crossley and Sons (Limited).	James Holroyd, James Balme, Mark Haley, Ellen Mitchell, Samuel Roberts.
Washkitchen -	17	Henry Savile - -	John Jowett.
Private Road - -	18	Henry Savile - -	Charles Crowther, Joseph Ashworth, George Scott, Thomas Priestley, William Cheetham, Thomas Popplewell, Jonathan Clayton, John Sutcliffe, Thomas Naylor, Mordecai Allen, Margaret Hart.
Private Road and Wall	19	John Crossley and Sons (Limited).	John Crossley and Sons (Limited) and George West Royston Pigott, M.D.
Private Road - -	20	John Crossley and Sons (Limited).	George West Royston Pigott, M.D.
Mistal and Stables -	21	John Crossley and Sons (Limited).	John Crossley and Sons (Limited) and William Sutcliffe.
Pasture Field - -	22	John Crossley and Sons (Limited).	Charles Crowther, Joseph Ashworth, George Scott, Thomas Priestley, William Cheetham, Thomas Popplewell, Jonathan Clayton, John Sutcliffe, Thomas Naylor, Mordecai Allen, Margaret Hart.
Vacant Land and Private Road or Footpath.	23	Henry Savile - -	

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Private Road	27	Solomon Smith and George Nelson Emmet.	George West Royston Pigott, M.D., and John Crossley and Sons (Limited).
Wall and Land	28	Henry Savile	James Wilson
Vacant Land	29	Solomon Smith and George Nelson Emmet.	George West Royston Pigott, M.D.
Woody Land	31	Henry Savile	Unoccupied.
Land and Plantation	32	Henry Savile	Unoccupied.
Vacant Land	33	Henry Savile	Unoccupied.
Vacant Land	35	Henry Savile	Unoccupied.
Pigstye	36	Henry Savile	William Greenwood.
Pigstye	37	Henry Savile	James Ashworth.
Privy and Ashes-place	38	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth.
Steps and Passage	39	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth, and William Greenwood.
Outhouse	40	Henry Savile	William Greenwood.
Pigstye	41	Henry Savile	Unoccupied.
Pigstye	42	Henry Savile	Thomas Blagbrough.
Pasture Field	43	Henry Savile	William Greenwood.
Well	44	Henry Savile	Walter Broadbent, Timothy Tidswell, Ellen Cliffe, Joseph Blagbrough, Thomas Blagbrough, James Hooson, James Ashworth, John Leach, Helliwell Berry, John Berry, Joseph Ashworth, Thomas Ridler, Aaron Wilkinson, William Greenwood.
Steps	50	Henry Savile	Helliwell Berry, John Berry, Joseph Ashworth, Thomas Ridler, Aaron Wilkinson, William Greenwood, John Leach,
Vacant Land	51	Henry Savile	Unoccupied,
Pasture Field	52	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Plantation	53	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Pasture Field	54	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Private Road	54a	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Garden - - -	55	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes deceased).	Thomas Sutcliffe.
Passage - - -	56	Thomas Walsh - - -	Thomas Walsh, William Rushworth, James Brenard.
Privy and Ashes-place -	57	Thomas Walsh - - -	Thomas Walsh, William Rushworth, James Brenard.
Garden - - -	58	Joseph Harrison (Trustee of Thomas Harrison deceased).	Thomas Walsh.
Garden and Outhouse -	59	Edwin Hartley - - - James Hartley, Caroline Walsh, Edwin Hartley, and Thomas Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Walsh.
Privy - - -	60	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Walsh.
Pasture Field - -	61	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Edwin Hartley.
Privy - - -	62	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Abraham Townsend, Selina Appleyard, Joseph Helliwell, Eli Wolfenden.
Pasture Field - -	63	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Edwin Hartley.
Pasture Field - -	64	Joseph Harrison - - (Trustee of Thomas Harrison, deceased).	Richard Smith.
Coal-place and Yard -	65	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Garden - - -	66	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley and Ambrose Bairstow.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Coal-place - -	67	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	Ambrose Bairstow.
Pigstye - - -	67a	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Garden - - -	68	Edwin Hartley - - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Pigstye - - -	69	Edwin Hartley - - James Hartley, Caroline Walsh, Thomas Hartley, and Edwin Hartley (Trustees for Martha Ann Milne, John Milne, Edwin Milne, and Ellen Milne).	James Hartley.
Foundry Oven - -	70	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Joseph Smith.
LONG LANE OR WHEATLEY LANE IMPROVEMENT.			
Vacant Land - -	72	Henry Savile - -	Unoccupied.
Garden - - -	73	Widow Spencer - -	William Baildon, John Sutcliffe.
Middenstead - -	74	Joseph Moxon Kirk -	John Greenwood.
Garden - - -	75	Joseph Moxon Kirk -	John Greenwood.
Outhouse - -	76	Joseph Moxon Kirk and Widow Spencer.	John Greenwood.
Garden - - -	77	Joseph Moxon Kirk -	John Greenwood.
Outhouse - -	78	Joseph Moxon Kirk -	John Greenwood.
Passage - - -	79	Joseph Moxon Kirk -	John Greenwood.
Vacant Land - -	80	Henry Savile - -	Unoccupied.
Pasture Field - -	81	Henry Savile - -	John Greenwood.
Garden - - -	82	Henry Savile - -	William Greenwood.
Private Road - -	83	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Pasture Field - -	84	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Croft - - -	85	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Meadow Field - -	86	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Pasture Field - -	87	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Pasture Field - -	88	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Privy - - -	89	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Thomas Sutcliffe.
Public Bridleway or Footpath.	90	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Local Board of Health.	
Reservoir Bank -	91	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Nathan Ashworth, Nathan Kay, Charles Appleyard, Joseph Ashworth, James Savile, Thomas Hartley.
Arable Field - -	92	Dickinson Edleston and Robert Edleston (Trustees of Thomas Holmes, deceased).	Nathan Kay.
Meadow Fihld - -	93	Joshua Appleyard - -	Joshua Appleyard.
Arable Field - -	94	Joshua Appleyard -	Joshua Appleyard.
Pasture Field and Well	95	Joshua Appleyard - -	Joshua Appleyard.

PART (Q.)

SOUTHOWRAM ROAD.

Plan on Sheet No. 18 *and Section No.* 19.

Public Highway -	1	Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Yard - - -	2	John Crossley and Sons (Limited).	John Shaw, William Ashworth, and George Sutcliffe.
Land - - -	3	Same - -	John Crossley and Sons (Limited).
Land - - -	4	Same - -	Same.
Yard and Wall -	4a	Same - -	Thomas Asquith Riley and Mary Riley.
Privy, Ashes Place, and Pigstye.	5	Same - -	Same.
Pasture Field - -	6	Same - -	John Crossley and Sons (Limited).
Land and Footpath -	8	Same - -	Same.
Pasture Field - -	9	The Reverend James Akroyd Beaumont and Reverend Thomas George Beaumont.	John Berry.
Pasture Field - -	10	Same - -	George Salmon and Jesse Gill.
Public Footpath - -	11	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Rope Walk and Pasture Field.	12	The Reverend James Akroyd Beaumont and Reverend Thomas George Beaumont.	George Salmon and Jesse Gill.
Public Highway called "Old Bank."	13	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Land and Footpath -	14	Michael Stocks and Joseph Roust.	Unoccupied.

Lands proposed to be taken.	No. on Plan.	Owner.	Lessee or Occupier.
Privy and Ashes Place -	15	Joseph Roust - -	James Scholefield, Charles Spencer, William Cocker and John Hoyle.
House - - - -	16	Michael Stocks - -	Hannah Robinson.
House - - -	17	Same - - -	John Naylor.
House - - -	18	Same - - -	James Greenwood.
Cottage - - -	19	Joseph Roust - -	Unoccupied.
Privy and Ashes Place -	21	Grace Ogden - -	Grace Ogden, Samuel Lockwood, Richard Cherry, William Fearnley, Frederick Horsfall, Nathan Mitchell, Leah Crossley.
Cottage - - - -	22	Same - - -	Samuel Lockwood.
Public Footpath or Bridleway called "Whiskam Dandy."	24	The Mayor, Aldermen, and Burgesses of the Borough of Halifax, as the Halifax Local Board of Health.	
Field and Plantation -	24a	John Waterhouse, Thomas Robson, and Samuel Waterhouse, (Trustees of Ann Prescott.)	Unoccupied.
Land - - -	25	Same - - -	Unoccupied.
Land - - -	25a	Same - - -	Unoccupied.
Land - - -	26a	Same - - -	Unoccupied.
Land over Railway Tunnel.	27a	Lancashire and Yorkshire Railway Company.	Lancashire and Yorkshire Railway Company.
Woody Land - -	28a	John Waterhouse, Thomas Robson, and Samuel Waterhouse, (Trustees of Ann Prescott.)	Unoccupied.
Pasture field and footpath	29a	Same - - -	Josiah Mitchell.
Occupation Road -	29b	Same - - -	Same.
Land - - -	30a	Same - - -	Same.
Land - - -	31a	Hanby Dyson - -	John Crossley.
Land - - -	31b	Same - - -	Same.
Yard - - -	31c	Same - - -	Same.
Land - - -	31d	Same - - -	Same.
Land - - -	31e	Same - - -	Same.
Unenclosed Land -	31f	Same - - -	Same.

Local Government Supplemental (No. 3.)

A

B I L L

To confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the District of Halifax; and for other Purposes relative to the said District under that Act.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater Booth.*)

Ordered, by The House of Commons, *to be Printed*, 4 *June* 1867.

[Bill 187.]

Under 3 *oz.*

be substituted for the
[191.] already delivered.

A

BILL

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Oswaldtwistle, Devizes, Layton-with-Warbrick (Blackpool), and Harrogate, and for other Purposes relative to certain Districts under the said Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and the several Purposes herein-after set forth should be authorized and enacted: Preamble.

And whereas by a Provisional Order, bearing Date the Fourth Day of July One thousand eight hundred and fifty-one, duly made under the Public Health Act, 1848, and confirmed by the Public Health Supplemental Act, 1851 (No. 2), the said Public Health

Act was applied to the Parish of St. John the Baptist, Margate, in the Isle of Thanet, within the Liberties of Dover, One of the Cinque Ports, in the County of Kent, and the said Parish was constituted a District for the Purposes of the said Act: And whereas a Portion of the said District, being the Portion described as the Rating Area in the said Provisional Order, has since been incorporated, in pursuance of the Act for the Regulation of Municipal Corporations in England and Wales, as the Borough of Margate, by Charter bearing Date the Twenty-ninth of July One thousand eight hundred and fifty-seven: And whereas the Local Board for the said District did, on the Second Day of February One thousand eight hundred and fifty-eight, transfer to the Town Council of the said Borough all their Estate, Property, Power, Right, Duties, and Liabilities, and the said Town Council has since acted as the Local Board of the said District: And whereas a Petition has been addressed by the said Town Council to One of Her Majesty's Principal Secretaries of State, praying for an Alteration of the said Provisional Order, so as to confine the Operation thereof to the Boundaries of the said Borough; and due Enquiry and Report has been made into the Matter of such Petition by Direction of One of Her Majesty's principal Secretaries of State: And whereas it is expedient that the Prayer of the said Petition should be granted:

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Partial Repeal of Margate Provisional Order.

1. The First and Second Sections of the said Provisional Order for the Parish of St. John the Baptist, Margate, shall be and the same are hereby repealed.

Corporation of Margate to be Local Board.

2. The Mayor, Aldermen, and Burgesses of the Borough of Margate in the County of Kent (in this Act referred to as the Corporation of Margate), acting by the Council of the Borough, shall be the Local Board of Health in and for the District of Margate (being co-extensive with the Borough or Town of Margate, and being within and Part of the District of the Parish of Saint John the Baptist, Margate, which Districts were, for different Purposes, and subject to different Provisions, constituted by the said Provisional Order of the General Board of Health of the Fourth Day of July One thousand eight hundred and fifty-one, confirmed by The Public Health Supplemental Act, 1851, No. 2); and from and after the same Day the Powers, Authorities, Rights, Property, Duties, and Liabilities of any Local Board of Health elected for the District of Margate shall (whether any such Board was validly and effectually elected and constituted or not) be absolutely transferred to and vested in the Corporation of Margate as Local Board for the District of Margate.

Confirmation of Orders, &c.

3. All Orders, Byelaws, Purchases, and Rates made, Acts and Things done, and Engagements entered into by or with the Council of the Borough of Margate, professing to act as a Local Board of Health, subsequently to the Second Day of February One thousand eight hundred and fifty-eight, shall be and be deemed to have always been valid, and the same shall be binding in favour of and against and be fulfilled by the Corporation of the Borough, acting by the Council, as the Local Board for the District of Margate by virtue of this Act; and all Persons in relation to the Corporation as such Local Board, and the Persons who in the Capacity of Members of the Council acted as such Local Board subsequently to that Day, and all Officers and Persons who acted under their Authority or by their Direction subsequently to that Day, are hereby discharged from and indemnified against all Penalties, Liabilities, Claims, and Demands in consequence of their having so acted, but nothing herein shall make valid an Order of the said Council for the Extension of the Rating Area of the District of the Parish of Saint John the Baptist, Margate, bearing Date the Thirty-first Day of May One thousand eight hundred and sixty-four.

Costs of Act as to Margate.

4. All Costs, Charges, and Expenses incurred by the Corporation of Margate with reference to any Question concerning the Existence, Constitution, Election, Powers, Rights, or Duties of any Local Board for the District of Margate, or of any Body claiming to be or professing to act as such Local Board of Health, including the Costs, Charges, and Expenses of the Corporation preliminary to, and of and incidental to the preparing, applying for, and obtaining and passing of the Enactments of this Act relative to the District or to the Borough of Margate, shall be paid by the Corporation, acting by the Council, as the Local Board for the District of Margate, out of the General District Rates for that District.

Provisional Orders in Schedule confirmed.

5. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of like Force and Effect as if the Provisions of the same had been expressly enacted.

Act incorporated with 21 & 22 Vict. c. 98.

6. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

7. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867 (No. 4.)"

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. OSWALDTWISTLE.—Extension of borrowing Powers.
2. DEVIZES.—Alteration of Parts of Local Acts.
3. LAYTON-WITH-WARBRICK (BLACKPOOL).—Alteration of Local Act.
4. HARROGATE.—Putting in force the Lands Clauses Consolidation Act, 1848, for the Purchase and taking of Lands otherwise than by Agreement.

OSWALDTWISTLE.

Provisional Order for extending the Borrowing Powers of the Oswaldtwistle Local Board.

WHEREAS the Local Board for the District of Oswaldtwistle, in the County of Lancaster, have under the provisions of the Local Goverment Act, 1858, petitioned one of Her Majesty's Principal Secretaries of State for power to borrow or reborrow, on mortgage of the rates, sums which with the sums already borrowed by that Board will not exceed in the whole two years' assessable value of the premises within the District in respect of which such sums may be borrowed; and such sums will be required for permanent works referred to in such Petition or contemplated in the said District.

And whereas after due inquiry and report by Robert Morgan, Esquire, the Inspector appointed under the said Act for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Oswaldtwistle, in the County of Lancaster, shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature within such District, and on mortgage of the rates leviable by them as such Board, a sum or sums which shall not, with the sums already borrowed by them, exceed in the whole two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Seventeenth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

DEVIZES.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Devizes Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Devizes, in the County of Wilts, by the Council of the said Borough acting as the Local Board in and for such Borough, being the District in which the Local Government Act, 1858, is in force, have, in pursuance of that Act, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the altera-

tion and partial repeal of and transfer of powers under a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the sixth year of the reign of King George the Fourth (6 Geo. 4. Cap. 162.), intituled "An Act for paving, lighting, cleansing, "watching, and improving the Borough of Devizes, in the County of Wilts; "and for removing and preventing nuisances and annoyances therein."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed to be duly made in the said District in respect of the several matters mentioned in the said Petition, and report has been made thereon by Arnold Taylor, Esquire, the Inspector appointed for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the herein-before recited Local Act, passed in the sixth year of the reign of King George the Fourth (Cap. 162.), to be repealed are those described in the Schedule to this Order annexed; and all the exemptions from or restrictions on rating conferred by the said Act shall cease and determine.

2.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Act shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said herein-before recited Local Act, which in case this Order had not been made and confirmed would have belonged to such Commissioners, shall pass to the Local Board aforesaid, who shall moreover have power to exercise and carry into effect all such powers, &c., not only in the Parishes comprised within the said Local Act but also in all such parts of the chapelry of St. James and of the Parish of Rowde as lie within the District of the said Local Board, as if all such powers, &c., had been conferred upon them within such extended area by the unrepealed portions of the said Local Act.

3.—All the property and estate of the said Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board upon the terms herein-after set forth and described; and such Board shall have full power and authority to sell and dispose of the same, or of any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

4.—The gasworks as a going concern and all other property and effects of the said Commissioners shall be valued by two competent valuers, to be appointed in accordance with the provisions of the Local Government Act, 1858, by the Commissioners and by the Local Board, or by their umpire in case of disagreement; but in making such valuation nothing shall be estimated for the good will or in respect of such

portions

portion of the site of the said gasworks as was granted by the Corporation without any payment being made for it, or of such portion as is held under a lease from the Corporation which will expire on the 4th of September 1869. The amount of such valuation shall be raised by the Local Board under the provisions of the Local Government Act, and shall be applied by them in discharge or in reduction of the bond debt of the said Commissioners, and if there be any surplus the balance shall be applied in or towards payment of the cost of any permanent improvement works rendered necessary under the Local Government Act within the parishes comprised in the said Local Act.

5.—All arrears of rates and monies due to the Commissioners acting under the said Local Act at the date of the passing of any Act confirming this Order shall be transferred and paid over to the Local Board; and the said Local Board shall have all such powers and remedies for recovering and enforcing payment of any arrears of the said rates and monies remaining unpaid after the passing of the Act confirming this Order as were vested in the said Commissioners under their Local Act.

All debts and liabilities under the said Local Act (save so much of the bond debt as shall be discharged by means of the amount of the valuation of the gasworks as herein-before provided) shall be satisfied by the said Local Board as debts and liabilities under the Local Government Act, 1858, out of the arrears of rates and monies due to the Commissioners, and if they exceed this amount shall be deducted from the amount of the valuation herein-before directed to be made.

(6.) All expenses under the unrepealed portions of the Local Act aforesaid shall be borne by the rates leviable in the District, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

7.—The powers conferred by the twenty-eighth section of the Towns Police Clauses Act, 1847, on any constable or any other officer appointed by that Act shall be vested in the police constables of or acting within the Borough of Devizes.

Given under my hand this First day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE to which this Order refers.

The parts of the Local Act 6 Geo. 4. c. 162. referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act except sections 44, 47, 48, 51, 56, 57, 58, 59, 60, 61, 62, 63, 66, 67, 75, 80, 81, 82, 83, 84, 85, 86, 87, 88, 93, and 117. All exemptions from rating conferred by any of the sections in such Act, as well as the provisoes to section 51 of such Act, to cease and determine.

LAYTON-WITH-WARBRICK (BLACKPOOL).

Provisional Order repealing and altering a Local Act in force within the District of the Local Board of Health in and for the District of Layton-with-Warbrick (*Blackpool*), *Lancashire.*

WHEREAS the Local Board in and for the District of Layton-with-Warbrick, in the County of Lancaster, in the year One thousand eight hundred and sixty-five obtained an Act of Parliament, intituled Blackpool and Layton-with-Warbrick Improvement Act, 1865, (28 & 29 Vict. cap. 1,) authorizing them to make and maintain a carriage drive and promenade or parade at the western side of the town of Blackpool in the said District by the sea.

And whereas the said Local Board have, in pursuance of the provisions of the 77th section of the Local Government Act, 1858, presented a Petition under their seal, and under the hands of five of the members of the said Board, to me as one of Her Majesty's Principal Secretaries of State, to enable the aforesaid Local Board to abridge certain works set forth and described in such Petition, and referring to the plan accompanying the same, and also to enable the said Local Board to levy rates on completion of each section of the works, and also to have the time for the compulsory purchase of lands for the purposes of the said Improvement Act extended from three years to five years, and on the receipt of such Petition, I, as one of Her Majesty's Principal Secretaries of State, directed inquiry, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for that purpose.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order :

1.—The Local Board for the said District of Layton-with-Warbrick shall be empowered to abridge the works set forth and described in such petition by making the same as near as may be of the following minimum widths; namely,—

——	Footpath.	Carriage drive.	Parade.	Total.
Opposite Miss Brindley's, No. 1. on parliamentary plan.	2	8	4	14 yards.
Opposite south-west corner of the land and premises called College Francais, No. 30 on the said plan.	2	8	4	14 „
Opposite south-west corner of Waterloo Road, No. 50a on said plan.	2	8	4	14 „
Opposite north-west corner of Waterloo Road, No. 50 on said plan.	2	10	6	18 „
Opposite lamp post in front of Eccles land, No. 185 on said plan.	2	10	6	18 „
Opposite Tyrhill House, No. 224 on said plan.	2	10	6	18 „
Opposite south-west corner of York Hotel, No. 242 on said plan.	3	10	6	19 „
Opposite Wellington Hotel, No. 270 on said plan.	3	10	6	19 „

	Footpath.	Carriage drive.	Parade.	Total.
Opposite Royal Hotel, No. 385 on said plan.	3	12	7	22 yards.
Opposite steps at Lane Ends Hotel, No. 444 on said plan.	3	12	7	22 „
Opposite Clifton Arms Hotel, No. 495 a on said plan.	3	12	7	22 „
Opposite Queen's Square at No. 530a on said plan.	3	12	7	22 „
Between Nos. 530 a and 539 on said plan, the foot path and carriage drive going to the east of Bailey's Hotel and the parade going round to the west thereof.	3	12	3	18 „
Opposite Burnley House at the end of works No. 605 on said plan.	3	12	6	21 „

And the footpath, carriage drive, and parade to be respectively abridged where necessary to work in with the above measurements.

2.—The Local Board for the said District shall be empowered to levy rates according to the said Act on the completion of each section of the works contemplated by the said Act.

3.—The time for the compulsory purchase of lands for the purposes of the said Act shall be extended to five years; and section 10 of the aforesaid Local Act shall be read as if the word "five" were contained therein in lieu of the word "three."

Given under my hand this Thirteenth day of May One thousand eight hundred and sixty-seven.

(Signed) S. H. WALPOLE.

HARROGATE.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Harrogate District, for the Purchase and taking of Lands otherwise than by Agreement.

WHEREAS the Local Government Act, 1858, has been duly adopted by the Commissioners for the Improvement of High and Low Harrogate, acting under and by virtue of an Act passed in the fourth year of the reign of Her present Majesty (4 Victoria, c. xvi.), intituled "An Act for improving certain parts of "the townships of Bilton with Harrogate and Pannal, called High and Low "Harrogate, in the West Riding of the County of York; for protecting the "mineral springs and regulating the stinted pasture in the said townships:"

And whereas by reason of such adoption the said Local Government Act, 1858, now has the force of law in the district to which the said Improvement Act relates, and the said Commissioners thereby became the Local Board for the said District:

And whereas the Local Board in and for the said District have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the Seal of

the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, for the purpose of constructing outfal works for the sewage of their District, and for other purposes set forth and described in such petition, and shown upon the plan accompanying the same.

And whereas the said petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands, who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition Her Majesty's Principal Secretary of State for the Home Department directed inquiry, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed for that purpose.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board for the said District of Harrogate shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand, this Third day of June, in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

The SCHE-

The SCHEDULE referred to in the foregoing Order.

The LANDS proposed to be taken for the Purposes set forth in the preceding Order.

The Numbers in Col. 1. refer to those on the Plan accompanying the Local Board's Petition.

No. on Plan.	Description of Property.	Owners.	Lessees.	Occupiers.
3	Pasture land -	William Sheepshanks	- - -	Thos. Gascoigne.
4	Pasture land -	John Greenwood -	- - -	Stephen Bradley, Junior.
5	Coppice - -	The Baroness de Bois de Ferriers.	- - -	John Barber.

To be substituted for the Bill [191.] *already delivered.*

Local Government Supplemental (No. 4).

A

B I L L

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Oswaldtwistle, Devizes, Layton-with-Warbrick (Blackpool), and Harrogate, and for other Purposes relative to certain Districts under the said Act.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater-Booth.*)

Ordered, by The House of Commons, *to be Printed*, 6 *June* 1867.

[Bill 191.]

Under 2 oz.

A

B I L L

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Ramsgate, Tunbridge Wells, Bognor, Newport, Chesterfield, Malvern, Great Harwood, and Harrow; and for other Purposes relating to certain Districts under that Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed; and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament; and it is expedient that the said Orders should be so confirmed, and other Provisions made with respect to certain Districts under the Local Government Act aforesaid: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The

Provisional Orders in Schedule confirmed.

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the *passing of this Act*, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Isle of Wight Roads, &c. Act (53 G. 3. c. xcii.) repealed as to District of Newport.

2. The Act passed in the Fifty-third Year of the Reign of King George the Third, intituled "An Act for amending the Roads and "Highways in the Isle of Wight," shall be repealed so far as it relates to that Portion of the District of the Borough of Newport within which that Act is now in force: Provided always, that it shall be lawful for the Commissioners acting under and in execution of such Act to levy Tolls at their Gate within such Borough until the *Thirty-first Day of December One thousand eight hundred and sixty-eight:* Provided also, that nothing herein contained shall affect or prejudice the Powers of the Commissioners acting in the Execution of the said Act under or by virtue thereof to remove, sell, dispose of, and convey all their said Turnpike Gate and Toll Bar known as the New Village Gate, and the Toll House there and the Site thereof, and the Appurtenances.

Lighting Contract with Sir A. W. Hillary, Bart., to be carried out by Newport Local Board.

3. The Mayor, Aldermen, and Burgesses of the District of the Borough of Newport in the Isle of Wight, acting as the Local Board in such District, shall (any Provisions of the Local Government Act, 1858, as to lighting to the contrary notwithstanding) carry out the Contract or Covenant entered into by such Mayor, Aldermen, and Burgesses with Sir Augustus William Hillary, Baronet, by Indenture bearing Date the Twenty-first Day of January One thousand eight hundred and fifty-two, for the Term of Twenty-one Years from the First Day of January One thousand eight hundred and fifty-two, for lighting the said District with Gas; and all Expenses incurred in so doing by such Mayor, Aldermen, and Burgesses, acting as such Local Board as aforesaid, shall be defrayed out of the General District Rates levied by them as such Local Board.

Repeal of 40th Section of Tunbridge Wells Water Act, 1865.

4. The Fortieth Section of "The Tunbridge Wells Water Act, 1865," shall be and is hereby repealed.

Power to the Earl of Abergavenny, &c. to sell.

5. The Tunbridge Wells Improvement Commissioners shall purchase, and William Earl of Abergavenny, his Heirs or Successors in Estate, on behalf of himself and themselves and of all other Persons interested, and of Her Majesty the Queen, Her Heirs and Successors, shall sell, free from all Incumbrances (except and accordingly subject to the Interest, Claims, and Demands of the Tunbridge Wells Water Company, their Under-tenants and Assigns, if any), the Fee Simple and absolute Property of and in all those Parts

Parts of the Undertaking, Waterworks, Reservoirs, Lands, Houses, and other Works, Mains, Conduits, Pipes, Plant, Stock, Rights, Powers, and Privileges of the said Tunbridge Wells Water Company which the said Earl as Freeholder or Reversioner is entitled to or interested in, and which the said Tunbridge Wells Water Company, as Lessees for Years, Grantees, Tenants, or Occupiers at Will or by Sufferance, or other derivative Title, from, through, or under the said Earl are possessed of or entitled to, and have not permanently abandoned or disused, at or for the Price or Sum of *Three thousand three hundred and thirty-eight Pounds* Sterling, to include Compensation for all Damage or Injury (if any) occasioned by Severance or otherwise to adjoining Lands whereof the said Earl is seised in Tail Male or otherwise, but not to include Compensation for any Damage or Injury which may be occasioned to the Tenants or Occupiers for the Time being of Land an Easement only in, through, or under which shall be so purchased and sold, by reason of the Inspection, Renewal, or Repair from Time to Time of the Works of the said Commissioners.

Purchase Money to be paid into Bank of England, and invested, &c.

6. The said Sum of *Three thousand three hundred and thirty-eight Pounds* shall upon the passing of this Act be paid into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery in England, to be placed to the Account of the Queen's most Excellent Majesty and of the Person for the Time being entitled to the Rents and Profits of Estates settled to the like Uses as the Hereditaments of which the Sale is authorized by the last preceding Section, and such Sum shall remain so deposited until the same shall be applied by Direction of the Court of Chancery in the Purchase or Redemption of Land Tax affecting Land settled to the like Uses as the Land the Sale of which is hereby provided, or in the Purchase of Land of Fee Simple Tenure and convenient to be held with the Estates now or hereafter to be settled upon the like Uses as aforesaid; and until such Application of the said Sum it may by the Accountant General of the Court of Chancery, under Order of the Court, to be made upon Application thereto, after Notice to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, be from Time to Time invested in the Name of the Accountant General in the Purchase of or upon Government or Real Securities to the Account aforesaid; and in the meantime and until such Securities be sold or realized pursuant to any Order of the Court for either of the Purposes aforesaid, the Income thereof shall be paid by the Accountant General under Order of the Court to the Person who for the Time being may be entitled to the Rents and Profits of the Estates settled or to be settled as aforesaid.

 7. Any

Settlement of Lands to be purchased therewith.

7. Any Land to be purchased with the said herein-before recited Sum of *Three thousand three hundred and thirty-eight Pounds*, or any Part thereof, shall be settled to such Uses, upon such Trusts, and subject to such Powers and Provisions as will most nearly correspond with the Uses, Trusts, Powers, and Provisions which immediately before the passing of this Act affected the Hereditaments the Sale whereof is hereby provided, and all such Uses, Trusts, Powers, and Provisions shall be valid and have full Effect, any Law to the contrary notwithstanding.

Memorials to be entered with Keeper of Land Revenues.

8. The Keeper of Land Revenue Records and Inrolments shall for the Purpose of preserving a Record of the said Sale by this Act authorized cause to be entered in a Book in his Office a Memorial of the Deed of Conveyance, Transfer, or Assurance made by virtue of this Act, and of any Deed of Conveyance which shall be executed upon the Purchase of Land with Monies arising from the Sale (such Memorial being in every Case accompanied by a Plan of the Land purchased), and every such Memorial shall be under the Hand of One of the Parties to the Deed of Conveyance, and no such Deed shall have effect until there be written thereon a Certificate, signed by the Keeper of Land Revenue Records and Inrolments, that a Memorial thereof hath been lodged at the Office of Land Revenue Records and Inrolments, and in the Absence of Evidence to the contrary of the Fact stated therein such Certificate shall be admissible in Evidence in any Court of Justice or before any Person now or hereafter having by Law or by Consent of Parties Authority to hear, receive, or examine Evidence without Proof of the Signature thereto, or of the Fact that the Person signing or purporting to sign the same is the Keeper of Land Revenue Records and Inrolments for the Time being, and a Copy of the Enrolment of the Memorial, certified in the Manner provided by an Act passed in the Sixteenth Year of the Reign of Her present Majesty, Chapter Sixty-two, Section Eight, shall be receivable as Evidence of the Deed or Facts referred to in such Memorial.

Costs to be regulated by Lands Clauses Act.

9. The Provisions of The Lands Clauses Consolidation Act, 1845, "with respect to the Conveyances of Lands," and also the Eightieth Section of that Act, "with respect to Costs in Cases of Money deposited," shall respectively apply to the Sale and Purchase authorized by the Fifth Section of this Act, and to the said Purchase Money or Sum of *Three thousand three hundred and thirty-eight Pounds* and for such several Purposes the Tunbridge Wells Improvement Commissioners shall be deemed to be "the Promoters of the Undertaking."

10. It

Power of Exchange between the Earls of Abergavenny and the Tunbridge Wells Improvement Commissioners.

10. It shall be lawful for the Earl of Abergavenny for the Time being, on behalf of himself and his Heirs and Successors in Estate, and of Her Majesty the Queen, Her Heirs and Successors, from Time to Time to grant to the Tunbridge Wells Improvement Commissioners or their Successors, in trust for the Purposes of the Tunbridge Wells Water Act, 1865, any Land or any Easement in, under, over, or upon any Land, being respectively Part or Parcel of the Estates whereof or whereto such Earl is seised or entitled in Tail Male under the Act of the Second and Third Years of the Reign of King Philip and Queen Mary, intituled "An Act concerning the Restitution of the Heirs Male of Sir Edward Nevill, "Knight," in exchange for any other Land or any other Easement respectively belonging to the said Commissioners, and as to such Land convenient to be held with or as to such Easement desirable to be extinguished, for the Use or Enjoyment of any other Part or Parcel of the said Estates, and to take any Money by way of Equality upon any such Exchange; but every such Grant by way of Exchange of any Land or of an Easement in, under, over, or upon any Land to the Possession of which respectively any Person other than the Earl making the same Grant shall be entitled in Priority to such Earl shall take effect in subservience and without Prejudice to such prior Title; and all Money which shall be given by the said Commissioners for Equality upon any such Exchange shall be paid into the Bank of England, and applied by Direction of the Court of Chancery as herein-before by this Act provided with reference to the aforesaid Sum of *Three thousand three hundred and thirty-eight Pounds;* and all Land which shall be given up by the said Commissioners upon any such Exchange shall be settled as herein-before by this Act provided with reference to Land to be purchased with the last-mentioned Sum, or as near thereto respectively as Circumstances will admit of, and all Easements which shall be given up by the said Commissioners upon any such Exchange shall be forthwith extinguished.

Application of Profits on temporary Investments of Monies borrowed under the Tunbridge Wells Water Act, 1865.

11. All Dividends, Interest, and Income which have arisen and shall arise from the temporary Investment by the Tunbridge Wells Improvement Commissioners of Monies already or hereafter borrowed by them on Mortgage for any of the Purposes of and under any of the Powers contained or referred to in the Tunbridge Wells Water Act, 1865, and all Accretions (if any) of Capital gained by or upon the Sale or other Realization of any such temporary Investment, shall be applicable and may be applied by the said Commissioners in or towards Payment of the Interest of the Monies so borrowed on Mortgage or any of them.

As to making of Estimate required under 72nd Section of the Tunbridge Wells Water Act, 1865.

12. In ascertaining or settling from Time to Time the Sums to be included pursuant to the Seventy-second Section of the Tunbridge Wells Water Act, 1865, in the Amount of the General District Rate and of the Estimates of the Money required for the Purposes thereof, regard shall be had to, and proper Allowances or Deductions shall be made in respect of, ascertained or estimated Balances of the Waterworks Fund for the Time being applicable to the Payment of the Mortgage Monies and the Interest thereon and the Sinking Fund for the Discharge thereof in the said Seventy-second Section respectively mentioned.

Regulation of Water Supply.

13. Within the District of the Tunbridge Wells Local Board under the Local Government Act, 1858, and the Acts incorporated therewith, the Supply of Water shall be turned on for at least *Two Hours* per Day on every Day throughout the Year in all Parts of such District as can be supplied by Gravitation from the Service Reservoirs, but when for the Purposes of such Supply the Use of a Stand Pipe is necessary, then the Local Board shall not be compellable to give a Supply on more than Three Days in the Week.

Requisition for constant Supply of Water.

14. The said Tunbridge Wells Local Board, on receiving a Requisition signed either by a Majority of the Persons paying Water Rates to the said Local Board or by Consumers who taken together pay more than Half the whole Amount of Water Rates payable to such Local Board, requiring that Water shall be constantly laid on and supplied within such District from the Works of the said Local Board, shall be bound to comply with the Terms of such Requisition within *Six Calendar Months* from the Date of the Receipt thereof, as far as such constant Supply can be given by Gravitation from the present Service Reservoirs.

Act incorporated with 21 & 22 Vict. c. 98.

15. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

16. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867 (No. 5.)"

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. RAMSGATE.—Altering a Local Act.
2. TUNBRIDGE WELLS.—Altering the Tunbridge Wells Water Act, 1865, in force within the District of the Tunbridge Wells Improvement Commissioners.
3. BOGNOR.—Altering Local Acts in force in the District of the Bognor Local Board.
4. NEWPORT.—Repealing a Local Act in force in the District of the Newport Local Board.
5. CHESTERFIELD.—Repealing a Local Act in force in the District of the Local Board.
6. MALVERN.—Repealing Parts of and amending the Malvern Local Acts, and vesting in the Local Board the Property and Powers of the Commissioners under those Acts.
7. GREAT HARWOOD.—Extending borrowing Powers of the Great Harwood Local Board.
8. HARROW.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Harrow Local Board of Health District, for the Purchase and taking of Lands by the said Board otherwise than by Agreement, for purposes of Sewage Irrigation.

RAMSGATE.

Provisional Order altering a Local Act in force within the District of the Local Board in and for the District of Ramsgate, in the County of Kent.

WHEREAS the Commissioners for improving the Parish of Ramsgate, in the County of Kent, acting as the Local Board in and for the District of Ramsgate, have, in pursuance of the provisions of the 77th section of the Local Government Act, 1858, presented a Petition under their seal, and under the hands of five of the members of the said Board, to me as one of Her Majesty's Principal Secretaries of State, praying for a partial repeal and alteration of an Act of Parliament passed in the first and second years of the reign of Her present Majesty, intituled "An Act for better paving, lighting, "watching, and improving the Parish of Ramsgate, in the County of Kent, "and for regulating the police thereof," and herein-after called the Local Act:

And whereas on the receipt of such Petition, I, as one of Her Majesty's Principal Secretaries of State, have taken the same into consideration:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order:

1.—The following words shall be added to the fifth section of the said Local Act at the end of such section: "Provided also, that all notices given "or to be given as herein-before provided shall be sufficient and be "deemed to be sufficient if so given by the Clerk."

2.—Section 29 of the said Local Act shall be repealed.

3.—So much of the 81st and 82nd sections of the Local Act aforesaid as relates to the licences of bathing machines shall continue in force and unrepealed, notwithstanding and after the making of byelaws under the 68th section of the Town Police Clauses Act, 1847, and after such byelaws shall have come into operation.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

TUNBRIDGE WELLS.

Provisional Order partially repealing and altering Part of The Tunbridge Wells Water Act, 1865, in force within the District of the Board of Tunbridge Wells Improvement Commissioners.

WHEREAS the Board of Tunbridge Wells Improvement Commissioners, acting as a Local Board under the powers of the Local Government Act, 1858, have,

have, in pursuance of the said Act, presented a petition to one of Her Majesty's Principal Secretaries of State, praying for the amendment of a certain Act of Parliament in force within their District, having relation to the purposes of the said Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the twenty-eighth and twenty-ninth years of the reign of Queen Victoria (28 & 29 Vict. cap. 204.), intituled, the Tunbridge Wells Water Act, 1865:

And whereas in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and held by Arnold Taylor, Esquire, the Inspector appointed for the purpose, and he has reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Goverment Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The sixty-second section of the herein-before recited Tunbridge Wells Water Act, 1865, shall be amended, by substituting the words "one hundred thousand pounds" for "eighty thousand pounds," as the amount of money which the aforesaid Commissioners may raise on mortgage under that Act.

2.—The sixty-ninth section of the said Act shall be amended as follows:

The commencement of the Sinking Fund to be formed in pursuance of the said section shall be postponed from the First day of January One thousand eight hundred and seventy-one, being the date specified in the said section, until the First day of January One thousand eight hundred and seventy-three, and the amount therein directed to be first set aside for the purpose of that fund shall be reduced from one one-hundredth to one two-hundredth part of the mortgage debt, with a larger sum in every succeeding year by five pounds per centum than in the then preceding year, until the whole of the monies borrowed by the said Commissioners under the said Water Act be paid off.

3.—In addition to any other monies which under the Public Health Act, 1848, the Local Government Act, 1858, or the said Water Act, the aforesaid Commissioners may borrow, they are hereby authorized and empowered to raise money on mortgage of the lands, works, or plant of either the Frant or the Calverley Water Works, from time to time as they may deem expedient, and to apply the monies thereby raised in satisfaction of all or any of the purposes mentioned in Paragraph "A" of the 74th Section of the said Water Act: Provided always, that no such mortgage shall be of any force or validity until the sanction of one of Her Majesty's Principal Secretaries of State has been first had and obtained thereto.

4.—The thirty-third section of the said Water Act shall be amended by omission of the words "duly stamped," so that the respective conveyances, assurances, confirmations, and assignments already or hereafter to be executed by or to the said Commissioners of the undertaking and works of the Caverley and Tunbridge Wells Water Companies, or either of them, and of the reversionary interests of the Earl of Abergavenny and the Crown, or either of them, in the Tunbridge Wells Company, and any collateral deed or deeds of covenant or other deeds connected therewith, be exempted from stamp duty in accordance with the provisions of the 151st section of the Public Health Act, 1848.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

BOGNOR.

Provisional Order partially repealing and altering Parts of Local Acts in force within the District of the Bognor Local Board.

WHEREAS the Local Board in and for the District of Bognor, in the County of Sussex, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say, the Act—

(1.) 3 Geo. 4. c. lvii., intituled "An Act to establish a market for the sale "of butcher's meat, and to repair and amend certain roads, in the "town or tithing of Bognor, in the county of Sussex."

(2.) 6 Geo. 4. c. cxxxv., intituled "An Act to amend an Act passed in the "third year of the reign of His present Majesty, intituled 'An "Act to establish a market for the sale of butcher's meat and other "articles, and to repair and amend certain roads, in the town or "tithing of Bognor, in the county of Sussex,' and for making a road "along the sea coast, and for otherwise improving the said town or "tithing."

(3.) 5 & 6 Will. 4. c. ci., intituled "An Act for paving, lighting, watching, "and otherwise improving the town of Bognor, in the county of "Sussex, and for amending and enlarging two Acts of Parliament "passed in the third and sixth years of the reign of His late Majesty "King George the Fourth relating to the said town:"

And whereas, in pursuance of the said Local Government Act, 1858, and after full consideration of the several matters mentioned in the said Petition, and of the report thereon made to me by Robert Morgan, Esquire, the Inspector appointed for the purpose, it appears expedient to issue a Provisional

visional Order in relation to the said matters; but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Acts shall be repealed; that is to say,

3 Geo. 4. c. lvii. ss. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 44, 46, 48, 49, 50, 51, 52, 53, 56, 57, 58, 60, 61, 62, 63, 64, 65, 67.

6 Geo. 4. c. cxxxv. ss. 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, and the Schedule to the said Act.

5 & 6 Will. 4. c. ci. ss. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and the latter portion of s. 23 (beginning with the words "Provided that on the various matters" to the end of the Section), also sections 28 to 110, both inclusive, 112, 113, 114, 115, 117, and the Schedule to the said Act.

2.—That the following sections be modified, 3 Geo. 4. c. lvii., s. 45., by charging on the tolls therein mentioned a fixed proportion of the salaries of the officer of the Local Board instead of the appropriation for payment of salaries therein contained: also,

3 Geo. 4. c. lvii. s. 55, by omission of the words "to be levied, recovered, "paid and applied in manner herein-after mentioned:" Also,

5 & 6 Will. 4. c. ci. s. 25, by omission of the words "at any general or special meeting:" And,

5 & 6 Will. 4. c. ci. s. 27, by omission of the words "within fifty feet in any direction from the most northern part of any groin, wall, sea defence, breakwater, jetty, pier, or other work now erected, or which shall or may be hereafter erected, in or upon the said beach or shore," and by inserting after the words "under this Act" the words "or of their surveyor for the time being."

3.—All the powers, duties, and authorities of the Commissioners acting in execution of the said Local Acts shall cease and determine, and all the powers, duties, authorities, advantages, and penalties under the unrepealed portions of the said Local Acts, which, in case this Order had not been made and confirmed, would have belonged to such Commissioners, shall pass to the Local Board aforesaid.

4.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts and for the same purposes as by such Commissioners.

5.—All debts, liabilities, monies, and securities for money contracted or payable by such Commissioners shall be charged upon the rates leviable under the said Local Government Act, 1858, and be paid and satisfied by the said Local Board out of such rates accordingly.

6.—That, with the above modifications, the remaining unrepealed portions of the said Local Acts and the said Public Health Act, and the Acts incorporated therewith, shall be incorporated, read, and construed as one Act applicable to the said District of Bognor.

Given under my hand this Tenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

NEWPORT.

Provisional Order repealing a Local Act in force within the District of the Newport Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Newport, in the Isle of Wight, acting as the Local Board in such Borough, wherein the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a petition to the Right Honourable Spencer Horatio Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the District of the Borough aforesaid, the Boundaries of such District being those of the Borough defined by 2 & 3 Will. 4. c. 64. in the Schedule O. to that Act, No. 37, except such Parts of the said Borough as are comprised within the Districts of East Cowes and West Cowes respectively under the Local Government Act, 1858, and the Acts incorporated therewith, the said Local Act having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the twenty-sixth year of the reign of King George the Third, intituled "An Act for paving, repairing, cleansing, lighting, and "watching the streets, lanes, ways, passages, and places within the Borough "of Newport, in the Isle of Wight, and for the removal of present and "prevention of future encroachments, nuisances, and annoyances therein:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said petition, and report made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The herein-before recited Local Act passed in the twenty-sixth year of King George the Third shall be wholly repealed, and the powers, authorities, and duties of the Commissioners under the same Act now vested in the said mayor, aldermen, and burgesses shall cease and determine.

2.—All

2.—All the property and estate of the Commissioners under the said recited Act passed in the twenty-sixth year of King George the Third, and of the said Mayor, Aldermen, and Burgesses acting by virtue of the transfer in the execution of such Act to them, be transferred to and become vested in the said Local Board.

3.—All debts and liabilities under the said Local Act passed in the twenty-sixth year of King George the Third may be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the said Local Act remained in force, and if such property and estate shall be insufficient for that purpose, then that the said debts and liabilities be satisfied as debts and liabilities incurred under the Local Government Act, 1858, and that the said Local Board, with such sanction as is required by the said Local Government Act for the borrowing of other sums by the said Local Board, may have power to borrow such sums as shall be requisite to discharge the said debts and liabilities.

4.—All arrears of rates or monies that are now due and owing to the said Mayor, Aldermen, and Burgesses acting under the herein-before recited Local Act passed in the twenty-sixth year of King George the Third may be transferred and paid over to the said Local Board on or before the First day of January One thousand eight hundred and sixty-eight, and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates now remaining unpaid as are now vested in the said Mayor, Aldermen, and Burgesses under the said herein-before mentioned Local Act.

Given under my hand this Eighth day of June One thousand eight hundred and sixty-seven.

(Signed) Gathorne Hardy.

CHESTERFIELD.

Provisional Order repealing a Local Act in force within the District of the Chesterfield Local Board.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Chesterfield, in the County of Derby, by the Council of the Borough, acting as the Local Board in and for the said Borough, being a District within which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the Local Government Act, 1858, presented a petition to one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the sixth year of the Reign of King George the Fourth (6 Geo. 4. cap. 77.), intituled "An Act for lighting the Town and "Borough of Chesterfield, in the County of Derby:"

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said herein-before recited Local Act shall be repealed:

2.—All contracts for lighting, debts, and liabilities under the said Local Act existing at the time of the passing of the Act confirming this Order shall be binding on and be satisfied by the said Local Board.

3.—All arrears of rates or monies that may be due and owing to the Commissioners acting under the said Local Act at the date of the passing of the Act confirming this Order shall be transferred and paid over to the said Local Board, and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates remaining unpaid after the passing of the said Act confirming this Order as were vested in the said Commissioners under the said Local Act.

Given under my hand this Seventh day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

MALVERN.

Provisional Order in pursuance of Section 77 of the Local Government Act, 1858, for repealing Parts of and amending the Malvern Local Acts, and vesting in the Local Board the Property and Powers of the Commissioners under those Acts.

WHEREAS the Commissioners for putting in execution the Malvern Improvement Act, 1851 (herein-after called the first Local Act), and the Malvern Improvement Amendment Act, 1858, (herein-after called the second Local Act), have duly adopted for that part of the Parish of Great Malvern in the County of Worcester which is within the limits set forth and described in the first Local Act the Local Government Act, 1858, except sections 54 and 55 and 56 thereof:

And whereas the Commissioners acting as the Local Board for the Malvern District have, in pursuance of section 77 of the Local Government Act, 1858, presented to one of Her Majesty's Principal Secretaries of State a Petition praying that the two Local Acts aforesaid, being Acts in force within the Malvern District having relation to the purposes of the Local Government Act, 1858, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, should be in part repealed and in part amended, and other provisions should be enacted, and a Provisional Order for the purpose, under section 77 of the Local Government Act, 1858, should accordingly be made:

And

And whereas, in pursuance of the Local Government Act, 1858, inquiry has been made in the Malvern District by Arnold Taylor, Esquire, the Inspector appointed for the purpose, and he has reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to these matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order the provisions following shall have effect as follows; that is to say,

1.—The provisions following shall have effect on and after the third Wednesday next after the day of the passing of the Act confirming this Order, and the words "now" and "henceforth" and "hereafter," and other like words in the provisions following have reference to that third Wednesday; and the whole of the Local Government Act, 1858, shall henceforth have full force and effect within the aforesaid District of Malvern.

2.—Sections 4 to 12 and 15 to 23, all inclusive, 34, 37, 39, 41, and 44, and 53 to 59, both inclusive, of the first Local Act herein-before recited, are repealed.

3.—The Commissioners Clauses Act, 1847, and the Lands Clauses Consolidation Act, 1845, are no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

4.—The Towns Improvement Clauses Act, 1847, except the sections thereof numbered 13 to 18, 20, 21, 33 and 46, and 95 to 98, 101, 102, 106, 132, 133, 142, and 146 to 155, all inclusive, is no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

5.—The Town Police Clauses Act, 1847, except the sections thereof 7 to 9 and 14 to 20, all inclusive, is no longer to be taken to be incorporated with or to form part of the first Local Act herein-before recited.

6.—Sections 76 to 94, both inclusive, of the Waterworks Clauses Act, 1847, are no longer to be taken to be incorporated with or to form part of the said first Local Act.

7.—Sections 36 to 50, both inclusive, of the Gas Works Clauses Act, 1847, are no longer to be taken to be incorporated with or to form part of the said first Local Act.

8.—All the sections of the second herein-before recited Local Act, except the sections thereof numbered 27 and 28, are by this Order repealed.

9.—The aforesaid Local Acts shall, with respect to the said Malvern District, be read and have effect with the Local Government Act, 1858, as if the same Acts were one Act.

10.—The expressions "the Commissioners" and "the Undertakers" in the two aforesaid Local Acts respectively mean the Local Board for the said District of Malvern; and twelve Commissioners appointed under the first herein-before recited Local Act, and their successors

qualified and appointed in accordance with this Order, shall be the Local Board for the said Malvern District; and,

(*a.*) The number of the members of the said Local Board shall be twelve.

(*b.*) For the purpose of rotation the first members of the Local Board shall go out of office in the order in which they were elected under the said first Local Act.

(*c.*) The members of the said Local Board shall retire in rotation in the month of April yearly.

(*d.*) The first retirement in rotation shall be in the month of April 1868.

(*e.*) Every member retiring in rotation shall, if qualified, be re-eligible.

(*f.*) The yearly election for supplying vacancies in the Local Board shall be held on the second Friday in April yearly.

(*g.*) The first yearly election shall be on the second Friday in April 1868.

The qualification of a member of the said Local Board shall be as follows:

(*a.*) Being rated to the relief of the poor of the parish of Great Malvern in respect of property within the limits of the aforesaid Malvern District in the yearly sum of fifty pounds or upwards; or

(*b.*) Being seised or possessed of an estate of freehold or of the rents and profits of property within the Malvern District of the yearly value of 30*l.* or upwards.

11.—For the execution of the Acts from time to time in force with respect to the removal or prevention of nuisances, and to the well ordering of common lodging houses, and for the purposes of the Sewage Utilization Act, 1865, and the Sanitary Act, 1866, respectively, the Local Board shall be the Local Authority; and every officer and servant appointed by virtue of or acting under the aforesaid Local Acts, or either of them, shall hold and enjoy his office and employment, with the salary and emolument thereunto annexed, and be deemed to be an officer or servant of the said Local Board until he resign or be removed in manner prescribed by the Local Government Act, 1858; and all bonds, securities, contracts, and agreements given and made by those officers and servants respectively to and with the Commissioners shall continue to be in force and be available in like manner in all respects as if they were given and made respectively to and with the Local Board aforesaid.

12.—All lands, buildings, works, and interests in lands and other estates, and property of the Commissioners under the aforesaid Local Acts are and shall be taken to be, by this Order and the Act confirming the same, transferred to and vested in the Local Board aforesaid, subject to all mortgages, charges, incumbrances, and liabilities affecting the same, or affecting the Commissioners in respect of the same, and shall be held and dealt with by the Local Board for, as nearly as circumstances will permit, the same purposes as by the Commissioners aforesaid.

13.—All rates, rents, and other monies due under the aforesaid Local Acts respectively to the said Commissioners are, by this Order and by the Act

Act confirming the same, vested in and shall be paid to and be recoverable and received by the said Local Board, and shall be applied as if the same were levied or became due under the Local Government Act, 1858; and all powers, authorities, rights, and privileges which, under or by virtue of any Act of Parliament, deed, assurance, or contract, are vested in the said Commissioners shall, by this Order and the Act confirming the same, be transferred to and vested in the Local Board aforesaid.

14.—The benefit and burden of all contracts entered into by or with the said Commissioners for any of the purposes of the Local Acts aforesaid, and in force, shall, by this Order and the Act confirming the same, be transferred to and vested in the Local Board aforesaid; and all mortgages, securities, debts, and monies which under the said Local Acts are due or recoverable from or payable by the Commissioners aforesaid shall be due and recoverable from and payable and paid by the said Local Board, in like manner as if such Local Board were the Commissioners; and the mortgages may be transmitted and transferred as if they were mortgages granted by the said Local Board; and no mortgagee or creditor of the Commissioners aforesaid shall be in any way prejudiced by the adoption by such Commissioners of the Local Government Act, 1858, or by this Order. Excepting always as regards the waterworks rate, wherever in any of the unrepealed sections of the aforesaid Local Acts any rate is mentioned, the "general district rate" provided for by this Order shall be taken to be meant, and shall be substituted accordingly.

15.—Instead of the general improvement rate, highway rate, and the general sewer rate by the said first Local Act authorized, there shall henceforth be made and levied by the Local Board aforesaid one rate, to be called "The general district rate," which shall be made and levied in the manner provided by the Local Government Act, 1858; and the general district rate, under this Order and the Act confirming the same, may and shall be applied by the said Local Board for the purposes for which, under the herein-before recited Local Acts, the general improvement rate, and the general sewer rate, and the highway rate respectively were applicable, as well as for the purposes for which any general district rate made under the Local Government Act, 1858, is applicable, excepting always that no part thereof shall be applied for waterworks or for a supply of water in such district of Malvern; and, excepting also as by this Order is otherwise directed, all the provisions of the Local Government Act, 1858, with respect to appeal against any rate, extend and apply to any rate which, in pursuance of this Order, is made under any of the provisions of the Local Acts aforesaid.

16.—For the purposes expressed in section 50 of the first herein-before recited Local Act, and for the necessary extension, from time to time, of the gas works, and subject to the provisions of the Local Government Act, 1858, the said Local Board, from time to time, may borrow on mortgage of their gas works, apparatus, and buildings, and the

income and profits arising therefrom, and the general district rate by this Order authorized, such monies as the Local Board from time to time require for those purposes. And further subject, nevertheless, to sections 132 and 133 of the Towns Improvement Clauses Act, 1847, the said Local Board may let on lease to any person their gas works, apparatus, buildings, and lands, under section 50 of the first herein-before recited Local Act, for such a term, not exceeding twenty-one years, and at such rent, and upon such terms and conditions with respect to repairs, maintenance, or otherwise, as are agreed on, so as there be contained in the lease or agreement for letting a covenant or agreement by the lessees or tenants that they will, to the reasonable satisfaction of the Local Board, do whatsoever is requisite for supplying the inhabitants of the aforesaid Malvern District with gas at one uniform charge, not exceeding the rate of 6*s.* 6*d.* for 1,000 cubic feet, and for lighting the streets, passages, and public places within the said Malvern District at one uniform charge, at a rate mutually agreed on and expressed in the lease or agreement; provided always, the net rent payable under any such letting or lease shall fall into and be part of the general district rate, under this Order and the Act confirming the same.

17.—All proceedings before any justice or justices for the recovery of any rate, damage, or penalty made payable, levied, or imposed under any of the provisions of the unrepealed sections of the Local Acts, or with respect to the Malvern District, under the provisions of the Local Government Act, 1858, or any byelaw made thereunder, in which the mode of proceeding is not specially prescribed by the Local Government Act, 1858, shall be taken under the Act of the session of the 11th and 12th years of Her present Majesty, chapter 43, intituled "An Act to facilitate the performance of the "duties of Justices of the Peace out of sessions within England "and Wales with respect to summary convictions and orders."

18.—The provisions of the Act of the session of the 12th and 13th years of Her present Majesty, chapter 14, intituled "An Act to enable "overseers of the poor and surveyors of highways to recover the "costs of distraining for rates," apply henceforth to rates levied under the unrepealed sections of the first Local Act, and to rates levied in pursuance of this Order respectively, and any complaint for the purposes of those provisions may be made by any Officer of the Local Board, and any warrant authorized by those provisions may be addressed to and served by any officer of the Local Board.

Section 4 of the Act of the session of the 11th and 12th years of Her present Majesty, chapter 44, intituled "An Act to protect "Justices of the Peace from vexatious actions for acts done by them "in the execution of their office," applies to cases where any rate is made in pursuance of this Order, and a warrant of distress issues against any person named therein.

Every person who commits within the Malvern District any of the offences following shall for every such offence be liable to a penalty not exceeding Forty shillings, which penalties, as well as the penalties imposed

imposed by section 33 of the first Local Act, shall be recoverable as by this Order provided; that is to say:—

(*a.*) Every person who in any street uses any threatening, abusive, or insulting words, or is guilty of any violent, indecent, or disgusting behaviour.

(*b.*) Every person who in any street affixes any posting bill or other paper against or upon any building, wall, door, gate, lamp post, tree, fence, or pale, or who writes upon, soils, defaces, or marks any building, wall, door, gate, lamp post, tree, fence, or pavement with chalk or paint, or in any other way whatsoever, or wilfully breaks, destroys, damages, or defaces any part of any building, wall, door, gate, lamp post, fence, or pale, or any fixture or appendage thereto, or any tree, shrub, or seat.

(*c.*) Every person, other than a licensed hawker, who in any street hawks, cries, vends, or exposes for sale any fish, game, fruit, goods, or other kind of merchandize whatever.

(*d.*) Every person who drives or acts as the driver of any waggon or cart down any hill with either or both of the wheels locked, and without having a skid pan or slipper at the bottom of each wheel during the whole time of its being so locked, and in such manner as to prevent the road from being destroyed or injured by the locking of the wheel.

(*e.*) Every person who, by himself, his agent, servant, or other, so negligently or carelessly works, manages, or uses any stone pit or quarry so as to cause to be sent, thrown, or hurled therefrom any stone, sand, or other material into or upon any street, to the obstruction, damage, or annoyance of any passenger, or into, through, or upon any dwelling house or other private premises, to the injury or damage of the same or of the inhabitants therein:

And the word "street" in this enumeration of offences includes public road, highway, thoroughfare, and other public place.

Notwithstanding section 113 of the General Highways Act of the session of the fifth and sixth years of William the Fourth, chapter 50, the provisions of that Act, so far as the same are not repugnant to the unrepealed sections of the Local Acts and the provisions of the Local Government Act, 1858, extend and apply to all highways and streets within the Malvern District:

Any householder within the Malvern District, personally, or by his servant, or by any police constable, may require any street musician or street singer to depart from the neighbourhood of the house of such householder on account of the illness or on account of the interruption of the ordinary occupations or pursuits of any inmate of the house, or for other reasonable or sufficient cause; and every person who sounds or plays upon any musical instrument, or who sings in any thoroughfare or public place near to any such house after being so required to depart, shall be liable to a penalty not exceeding Forty shillings, or, in the discretion of the justice before whom he is convicted, may be imprisoned for any time not exceeding three days;

and any police constable acting within the Malvern District may take into custody, without warrant, any person who so offends, if he be given into custody by the person making the charge. Provided that the person making a charge for an offence against this provision of this order shall accompany the constable who takes into custody any person so offending to the nearest police station house, and there sign the charge sheet kept for the purpose.

Whenever any person charged with an offence under the last preceding provision of this Order is brought to any station house during the time when the police court is shut, the constable in charge of the station house may require the person making the charge to enter into a recognizance, conditioned as is provided by the next succeeding provision of this Order, and upon the refusal of the person to do so the constable may discharge the person so charged.

Every recognizance so taken shall be without fee or reward, and shall be conditioned for the appearance of the person thereby bound before a justice acting in the Malvern District at his next sitting, and the time and place of appearance shall be specified in the recognizance.

And the constable shall enter, in a book kept for that purpose at the station-house, the name, residence, and occupation of the person and his surety or sureties (if any) entering into the recognizance, together with the condition thereof and the sum thereby acknowledged, and shall return every such recognizance to the justice present at the time and place when and where the person is bound to appear.

Any police constable of the county of Worcester acting within the Malvern District may exercise the authority conferred on constables by section 15 of the Town Police Clauses Act, 1847.

The provisions of the Public Health Act, 1848, with respect to byelaws extend to all byelaws made under the Local Acts.

19.—All byelaws made under the said Local Acts now in force shall, notwithstanding the amendment by this Order of such Local Acts and the Act confirming the same, be and continue in full force, unless and until the same be repealed or altered by the Local Board, with the sanction and approval of one of Her Majesty's Principal Secretaries of State, and may be enforced, and penalties imposed thereby may be recovered accordingly.

20.—Provided always, that, notwithstanding the amendment by this Order and the Act confirming the same of the Local Acts aforesaid, and the transfer thereby to the said Local Board of the property, powers, rights, and liabilities of such Commissioners, and except only as is herein otherwise expressly provided, everything heretofore done, suffered, and confirmed respectively under or by the said Local Acts shall be as valid as if the amendment and transfer had not happened; and the amendment and transfer and the operation of this Order shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which if such aforesaid amendment and transfer had not happened would be incident to or consequent on everything so done, suffered,

ferred, and confirmed respectively. And with respect to everything so done, suffered, and confirmed respectively, and all those rights, liabilities, claims, and demands, the said Local Board shall to all intents represent the Commissioners herein-before described, as if such Commissioners and the Local Board aforesaid had originally been and had continued without intermission to be one and the same body: Provided always, that the several powers by this Order and the Act confirming the same conferred on the Local Board aforesaid shall be in addition to and not in any respect restrictive of their other powers under the unrepealed portions of the several Acts herein-before recited, which powers may be exercised as if this Order were not made.

The Local Board in and for the said district shall have power and authority to borrow or reborrow, for the execution and completion of works of a permanent nature, in the exercise of their powers as such Local Board within such district, and on mortgage of the rates leviable by them as such, a sum or sums which shall not, with the sums already borrowed, exceed in the whole two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid district; the aforesaid sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Tenth day of June, in the year of our Lord One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

Home Office, Whitehall.

SCHEDULE to which the preceding Order refers.

The sections of the herein-before recited Acts to be retained are as follows:—

Of the Local Act 14 & 15 Vict. cap. 96, the following sections as numbered in the Queen's Printers' copies thereof:—Sections 1, 2, 3, 13, 14, 24, to 33, both inclusive; 35, 36, 38, 40, 42, 43, 45 to 52, both inclusive, 60, 61, and 62.

Of the Local Act 21 & 22 Vict. (intituled the Malvern Improvement Amendment Act, 1858,) the following sections, numbered respectively sections 27, 28.

GREAT HARWOOD.

Provisional Order for extending the Borrowing Powers of the Great Harwood Local Board.

WHEREAS the Local Government Act, 1858, has been duly adopted by and is in force within the boundaries of the District of Great Harwood, in the County of Lancaster;

And whereas the said Local Board have received sanction under the Local Government Act, 1858, and "The Public Works (Manufacturing Districts) Acts, 1863, 1864," to borrow, upon security of their rates, sums amounting in the whole to Eight thousand six hundred and sixty-one Pounds to defray the expense of works for the drainage of and supply of water to the said District, and other works of a permanent nature under the aforesaid Acts:

And whereas the said Local Board duly petitioned the Right Honourable Spencer H. Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, for power to borrow, upon mortgage of the rates to be levied by them under the said Acts, a further sum to enable them to defray the additional cost of completing such works as aforesaid; the said further sum or sums to be borrowed upon security of the rates authorized to be made and collected under the said Acts, and to be repaid within a period of fifty years from the borrowing thereof, and not to exceed in the whole, together with the amount of 8,661*l.* already borrowed as herein-before stated, two years' assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District:

And whereas after due inquiry and report by Arnold Tayler, Esquire, the Inspector appointed for the purpose, I am of opinion that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament:

Now, therefore, in pursuance of the powers now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board for the District of Great Harwood, in the County of Lancaster, shall have power and authority to borrow or reborrow, for the execution and completion of the aforesaid works of a permanent nature within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, any sum or sums which shall not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which the said sum or sums may be borrowed, such sum or sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Twenty-ninth day of May One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

HARROW.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Harrow Local Board of Health District, for the Purchase and taking of Lands by the said Board otherwise than by Agreement, for purposes of Sewage Irrigation.

WHEREAS the Local Board of Health in and for the District of Harrow, in the County of Middlesex, have, in pursuance of the provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land, for the purpose of sewage irrigation and purposes set forth and described in such petition and shown upon the plan accompanying the same:

And whereas the said petition duly set forth in the schedule annexed thereto the several pieces of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid lands who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such petition the Right Honorable S. H. Walpole, M.P., as one of Her Majesty's then Principal Secretaries of State, directed inquiry, and report has been duly made thereon by Arnold Taylor, Esquire, the Inspector appointed by him for such purpose:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of Health for the said District of Harrow, in the County of Middlesex, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement, for the purposes herein-before set forth and described.

Given under my hand, this Fifth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

Home Office, Whitehall.

The SCHEDULE referred to in the foregoing Order.

The Lands, Buildings and Premises proposed to be taken for the Purposes set forth in the preceding Order, and situate in the District of Harrow, are the following; the numbers in col. 1 refer to the numbers on the Plan herein-before referred to.

No. on Plan.	Lands proposed to be taken.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Meadow Land -	The Trustees or Trustee of the Estate of the late Richard Heming.	James Row -	James Row.
2	Meadow Land -	The Dean and Chapter of Christ Church, Oxford.	Henry Young -	James Goodchild.

Local Government Supplemental (No. 5.)

B I L L

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Ramsgate, Tunbridge Wells, Bognor, Newport, Chesterfield, Malvern, Great Harwood, and Harrow; and for other Purposes relating to certain Districts under that Act.

(Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Hunt.)

Ordered, by The House of Commons, *to be Printed,* 21 *June* 1867.

[Bill 206.] *Under 3 oz.*

LORDS AMENDMENTS

TO THE

LOCAL GOVERNMENT SUPPLEMENTAL (No. 5.) BILL.

Note.—*The Page and Line refer to the Bill* (221.) *as printed by the Lords.*

Page 2.

Line 4. After ("Act") insert ("except as to the Eighth Section, and as to the last Paragraph of the Provisional Order for partially repealing and amending the Malvern Local Acts; and there shall be substituted for the said Eighth Section the Words 'The Sections numbered respectively 17. 'to 26. and 29. to 40., all inclusive, of the Second herein-'before recited Local Act, are repealed;' and there shall be substituted for the last Paragraph of the said Order the Words 'of the Local Act, Twenty-first and Twenty-second 'Victoria, Chapter Thirty-one, (intituled the Malvern Im-'provement Amendment Act, 1858,) the Sections numbered 'respectively 1. to 16., both inclusive, 27. and 28')"

Page 15.

Line 39. and Line 40. Leave out ("All the Sections of the Second herein-before recited Local Act, except the Sections thereof numbered 27. and 28.") and insert ("Sections 17. to 26. and 29. to 40., all inclusive, of the Second herein-before recited Local Act")

Page 21.

Line 35. After ("Sections") insert ("1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16")

[Bill 295.]

LORDS AMENDMENTS

TO THE

LOCAL GOVERNMENT SUPPLEMENTAL (No. 5.) BILL.

Ordered, by The House of Commons, *to be Printed*,
1 *August* 1867.

[Bill 295.]

Under 1 *oz.*

A

B I L L

TO

Confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Exeter, Devonport, Reading, Warley, and Midgley, and for other Purposes relative to certain Districts under the said Act.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and the several Purposes herein-after set forth should be authorized and enacted: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as they are Confirmation of Provisional Orders

in Schedule contained.

are authorized by the Local Government Act, 1858, and the Acts incorporated therewith, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Compensation to Officers under Exeter Local Improvement Act who may be removed, &c.

2. Every Treasurer, Clerk, Surveyor, and other Officer acting under the Exeter Local Improvement Act, Two and Three William the Fourth, Chapter One hundred and six, recited in the Provisional Order for the City and Borough and the County of the City of Exeter in the Schedule to this Act contained, Parts of which Local Act are repealed by the said Order, whose Office shall, by reason of the Transfer of the Powers of the Commissioners under that Local Act to the Local Board, be no longer tenable by him or shall be wholly or in part superseded and rendered unnecessary, or who shall at any Time within the Space of Three Years next after the passing of this Act, except for Misconduct, be removed wholly or in part from such Office, and not be employed and retained in an Office of equal Value, by the Local Board for the said City and Borough and County of the City of Exeter, shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the Office which he shall cease to hold; the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board, to be made within Three Months after any such Person shall have been superseded in his Office, founded upon a Declaration made by such Person setting forth the Salary, Profits, and Emoluments derived by him and his Predecessors for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office, and his Term therein; and the said Local Board shall from Time to Time pay to the Person so entitled to Compensation, out of any General District Rates, the Money which shall upon such Report, and any Appeal or Reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Compensation to Officers under Devonport Local Act who may be removed.

3. If any Officer to the Commissioners acting in execution of the Devonport Local Act referred to in the Devonport Provisional Order in the Schedule to this Act contained shall, by reason of such Order, be superseded, or if his present Remuneration shall be affected, or if he shall be removed from his Office and not be employed and retained in an Office of equal Value by the Devonport Local Board, he shall be entitled

entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the said Office, the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board to be made within Three Months after any such Person shall have been superseded in his Office or his Remuneration affected, founded upon a Declaration made by such Person setting forth the Salary, Profits, and Emoluments derived by him for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office and his Term therein, and the said Local Board shall from Time to Time pay to the Person entitled to Compensation, out of General District Rates, the Money which shall upon such Report and any Appeal or Reclamation against the same be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Payment of annual Sum to Local Board for Warley by Part separated from the District.

4. From and after the Inclusion in a District under the Local Government Act of that Part of the Warley District which is separated therefrom by the Warley Provisional Order by this Act confirmed, which Part is herein-after referred to as the separated Part, the Local Board for the District which includes the separated Part shall pay to the Warley Local Board an annual Sum of One hundred and forty Pounds (£140), such Sum to be raised by a General District Rate in the separated Part only, and such annual Payment to be continued to the Warley Local Board until such Time as the rateable Value of Property in the Warley District (as altered by the Provisional Order herein-before referred to) shall reach Fourteen thousand Pounds (£14,000).

Provided always, that unless the separated Part shall come within the Operation of the Local Government Act, 1858, within Twelve Months from the Date of the passing of this Act, then the separated Part shall again become Part of the Warley District as before the Date of this Act, and shall be included in the said District, without any Incorporation therewith such as is prescribed by the Seventy-seventh Section of the said Local Government Act.

Act incorporated with 21 & 22 Vict. c. 98.

5. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

6. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1867 (No. 6.)"

SCHE-

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. EXETER.—Altering a Local Act.
2. DEVONPORT.—Altering Parts of a Local Act in force within the District.
3. READING.—Putting in force the Lands Clauses Consolidation Act, 1845, within the Reading Local Board of Health District, for the Purchase and taking of Lands by the said Board otherwise than by Agreement, for Purposes of Street Improvements.
4. WARLEY.—Separating Portion of District of Local Board.
5. MIDGLEY.—Altering Boundaries of District of Local Board.

EXETER.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Exeter Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the City and Borough and County of the City of Exeter, acting as the Local Board in and for the City aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within their District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the second and third years of the reign of His late Majesty King William the Fourth (cap. 106.), intituled "An Act for "better paving, lighting, watching, cleansing, and otherwise improving the "City of Exeter and County of the said City:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose; and report has been made by him to me therein, and I have taken the same into consideration:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty Principal Secretaries of State, do, by this Provisional Order under my hand, direct—

That from and after the passing of any Act of Parliament confirming this Order,—

1.—The parts of the said herein-before recited Local Act passed in the second and third years of the reign of King William the Fourth (cap. 106), specified in the Schedule hereunto annexed, shall be repealed, altered, or extended as is therein described.

2.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the said Local Act shall cease and determine; and such of the said powers, authorities, and duties as are granted or imposed by such parts of the said Local Act as shall not be repealed, and so far as the same are not repugnant to or inconsistent with the said Local Government Act, shall be transferred to and be had and exercised by the said Mayor, Aldermen, and Burgesses, as the Local Board under the said Local Government Act, 1858, and by such of the committees, officers, and servants of the said Local Board as shall be appointed by the said Board in that behalf under the said Local Government Act, and shall be had and exercised in the same manner, as nearly as may be, as if such powers, authorities, privileges, and duties had been granted or imposed by the said Local Government Act; and that the said Local Board shall be the Commissioners for executing such parts of the said Local Act as shall not be repealed; and that all lands, buildings, works, rates, arrears, tolls, duties, and hereditaments, utensils, materials, books, plans, maps, deeds, effects, contracts, papers, monies, and securities for money, and all other property whatsoever belonging to or vested in the Commissioners acting in execution of the said Local Act, shall be transferred to, vested in, belong to, and be recoverable by the said Local Board, as fully as the same would or could have belonged to, been vested in, or recoverable by such Commissioners, and, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same uses, intents, and purposes, as the same were or would be held by such Commissioners.

3.—All bonds, mortgages, annuities, contracts, debts, monies, and securities for money, made, given, contracted, or payable by such Commissioners, shall be paid and satisfied by the said Local Board out of such transferred property as would or ought to have been charged or chargeable in respect of the same if such transfer had not been made, and shall, as near as circumstances will permit, have the same priority, and be paid and satisfied within the same time, and be recovered from the said Local Board as the same might have been recovered from the said Commissioners.

4.—If such property be insufficient for that purpose the deficiency shall be charged upon and paid and satisfied by the said Local Board out of the rates leviable under the said Local Government Act, 1858.

5.—If such property be more than sufficient the surplus shall be applied, as nearly as may be, to the same purposes to which the same would

or

or ought to have been applied if the said Local Government Act had not been adopted as aforesaid.

6.—All charges and expenses which shall be incurred by the said Local Board under such parts of the said Local Act as shall not be repealed shall be deemed to be expenses incurred by such Board under the said Local Government Act, and shall be defrayed out of the General District Rate (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be borrowed, charged, received, and recovered in the same manner as if such charges and expenses were actually incurred under the said Local Government Act, 1858.

7.—All proceedings, contracts, matters, and things respectively begun or made, or penalties incurred, under any section of the said Local Act which may be hereafter repealed, may respectively be proceeded with and enforced as if no such repeal had taken place; and all powers exercised or byelaws made under any such section shall continue in force until the new powers and byelaws authorized by the said Local Government Act are brought into operation; and that no such repeal shall affect any decree or order of the High Court of Chancery, or of any other Court of Justice, that has heretofore been obtained or shall have been obtained before such repeal.

The sections of the herein-before recited Local Act to be altered and amended are:—

Section No. 111, in which the words "not exceeding ten acres in the whole" shall in future be omitted from such section, and such section shall be read accordingly.

Section No. 112. After the words "And be it further enacted, that it shall be lawful for the said Commissioners and they are hereby empowered to collect and receive any sum," the four words following, "not exceeding ten shillings," shall be taken to be omitted from such section; and these words, "or sums to be fixed by a scale to be determined by the Local Board of the city and county of Exeter," shall be taken to be inserted in lieu thereof, and such section shall be read accordingly.

Section No. 197. shall be repealed; and instead thereof the following section shall be inserted, and shall be confirmed and be taken to form a part of such Act accordingly, as if such ensuing section were substituted for the 197th section of such Local Act so repealed:—

"The boundary of the Precinct of the Close within the meaning of the present Exeter Provisional Order shall be as follows:

"The existing boundary from the site of Bear Gate eastward, and by the City Wall and Egypt Lane, to and including St. Catherine's Almshouses; thence, excluding the houses fronting in Catherine Street, but including St. Martin's Church, to the site of St. Martin's Gate, thence along the western side of the Cathedral Yard, including the carriage way but excluding the footway, to the site of Broad Gate, thence by the existing boundary, including the College but excluding the houses fronting in South Street and Bear Street, to the site of Bear Gate; the district comprised within the said boundary to be called the 'Close Proper,' (defined on a plan deposited in the Local Government Act Office, London).

"Within the Close Proper the Dean and Chapter shall light the same with not less than twelve sufficient lamps, and shall maintain the paving, flagging, roads, and pathways, and procure to be removed all dirt, ashes, and refuse of every kind; and the rating powers of the Local Government Act shall not apply to the Close Proper, except as next herein-after mentioned; that is to say,

"Provided, that if the General District Rates imposed under the provisions of the Local Government Act shall at any time in any year exceed the rate of one shilling and fourpence in the pound, being the present amount of the Improvement and Lamp Rate for the district of Exeter, then and so often as the same shall occur the Close Proper shall be subject to a rate equal to the excess of such General District Rate over and above the said sum of one shilling and fourpence in the pound in any year:

"Provided also, that, for all purposes of the Local Government Act, 1858, the existing sewers within the 'Close Proper' shall be vested in and repaired by the Local Board, reserving nevertheless to the Dean and Chapter the right to communicate with and to use the said sewers, and all other sewers which may hereafter be constructed within the Close Proper, for all necessary purposes; and further, that no new main sewers shall be formed within the Close Proper without the consent in writing of the Dean and Chapter; or if such consent be withheld, or in case of any differences arising on this subject between the Dean and Chapter and the Local Board aforesaid, the same shall be referred to and determined by one of Her Majesty's Principal Secretaries of State acting under the authority and by virtue of the Local Government Act, 1858:

"Provided also, that all powers, authorities, and regulations in reference to police and sanitary purposes, and such only, except as herein specially provided, contained in the Local Government Act, 1858, and in the unrepealed portions of the Exeter Improvement Act, shall apply to the 'Close Proper;' and that no fly stand, urinal, or other building or erection of any kind shall be authorized, placed, or erected within the Close Proper without the consent in writing of the Dean and Chapter."

Given under my hand this Nineteenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE to which this Order refers.

The parts of the Local Act, 2 & 3 Will. 4. (cap. 106), herein-before referred to in this Order to be repealed, &c., are as follows; that is to say,

The sections of the said Local Act to be repealed as herein-before described are those numbered respectively in the copies thereof printed by the King's Printers 2 to 40, both inclusive; 42, 43, 47; 52 to 58, both inclusive; 61 to 68, both inclusive; 70, 71, 73, 74, 76, 82, 83, 84, 85; 88 to 95, both inclusive; 108, 109, 117, 120, 121, 122, 124, 125, 126; 136 to 147, both inclusive; 149 to 153, both inclusive; 156, 159 to 174, both inclusive; 189 to 193, both inclusive, and 195.

DEVONPORT.

DEVONPORT.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Devonport Local Board.

WHEREAS the Local Government Act, 1858, has been duly adopted by a resolution of the council of the borough of Devonport, and by reason of such adoption the said Act, except as herein-after mentioned, now has the force of law within the said borough, and the mayor, aldermen, and burgesses acting by the council of the borough have become the Local Board for the District of such borough:

And whereas by an Act passed in the 54th year of the reign of His Majesty George the Third, c. 172., intituled "An Act to repeal an Act passed "in the twenty-first year of His present Majesty for better maintaining and "regulating the poor within the town of Plymouth Dock and parish of Stoke "Damerel in the county of Devon, and for other purposes, and granting further "powers in lieu thereof for lighting, watching, and otherwise improving "the said town and parish, and regulating porters and watermen therein," certain provisions were made and certain powers were conferred upon Commissioners thereby appointed for the paving and cleansing of the streets, lanes, and passages within the said town and parish, and removing and preventing encroachments, nuisances, and annoyances therein, and for divers other purposes having relation to many of the purposes provided for by the Local Government Act, 1858; and such Act of 54 Geo. c. 172. is herein-after styled "the Local Act."

And whereas the said Local Act applies to and is in force within the same District as that which now constitutes the District of the borough of Devonport, and does not confer powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and it is expedient that provision should be made for the future execution of the Local Act within the District aforesaid, and that such Act should be altered in the manner herein-after set forth.

And whereas the Local Board aforesaid have under the provisions of the Local Government Act, 1858, presented a Petition to me as one of Her Majesty's Principal Secretaries of State, praying that provision should be made for the future execution by the Local Board of the provisions of the Local Act aforesaid (except so far as the same relates to relieving, maintaining, and regulating the poor of the parish of Stoke Damerel now vested in the Commissioners acting under the said Act), and for the transfer to the Local Board of certain of the powers and duties conferred and imposed by such Local Act upon the Commissioners in manner herein-after set forth; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Robert Morgan, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported to me thereon:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the Local

Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

1.—That from and after the date of the confirmation of this Order all the enactments and provisions of the Local Act aforesaid (54 Geo. 3. c. 172.) which can now be executed by the Commissioners (except such as refer to or in anywise concern or affect the relief, maintenance, and regulation of the poor of the parish of Stoke Damerel) shall be carried into execution by the Local Board in place of the Commissioners, and that for this purpose all the powers, rights, duties, and authorities conferred or imposed on the Commissioners by the Local Act (except as aforesaid) shall be transferred to and thenceforth be vested in and executed by the Local Board as fully and completely as by the Commissioners.

2.—That from and after such date as aforesaid all the provisions, powers, and authorities made or conferred by the Local Government Act, 1858, which in anywise relate to the same or similar purposes as those included in the Local Act shall, except so far as the same may be in anywise repugnant to or inconsistent with the provisions of the Local Act, come into operation within the district of and be exercised by the Local Board conjointly with and in addition to the provisions, powers, and authorities of the Local Act.

3.—That from and after such date as aforesaid all monies, securities for monies, rights of action, contracts, property, estate, and effects whatsoever and wheresoever, and whether in possession or in action, now belonging to the Commissioners (excepting such as may belong to and be vested in them for the purposes of the relief, maintenance, and regulation of the poor), together with all the right, title, and interest of the Commissioners in or to the same, shall be transferred to and vested in the Local Board, and shall be held and employed by them for the purposes of the Local Act and the future execution thereof, without any transfer, assignment, or conveyance thereof from the Commissioners to or in trust for the Local Board.

4.—That from and after such date as aforesaid all arrears of rates made and levied by the Commissioners acting in pursuance of the Local Act shall be due and payable to the Local Board in place of the Commissioners, and the Local Board shall have all the powers and remedies for recovering and enforcing payment of any such arrears in their name and on their account, and by their officers, as the Commissioners would have had if this Order had not been made and confirmed; and all outstanding claims, debts, and demands to which the Commissioners shall be liable (except such as relate to the relief, maintenance, and regulation of the poor,) shall be transferred from them and shall be chargeable to the Local Board, and shall be discharged and liquidated by such Board as soon as practicable after the date aforesaid.

5.—That from and after such date as aforesaid the principal and interest of all monies borrowed at interest by the Commissioners acting in pursuance of the Local Act and then outstanding, and all annuities granted by the Commissioners acting under the Local Act, or charged by the Local Act upon the rate to be levied and received in pursuance of the same, so far as the same respectively are now legally due and payable,

payable, shall become and be a charge upon the rates hereafter to be levied and received by the Local Board in pursuance of the Local Act and of this Order, in like manner as they would have been a charge upon the rates to be levied and received by the Commissioners under the Local Act if this Order had not been made and confirmed.

6. That all other the debts and liabilities (if any) which may have been legally incurred by the Commissioners acting in pursuance of the purposes of the said Local Act (other than purposes relating to the relief, maintenance, and regulation of the poor,) shall be satisfied and discharged by the Local Board out of the monies (if any) transferred from the Commissioners to the Local Board by virtue of this Order, or coming to the hands of the Local Board on account of any such arrears of rates as aforesaid, or of the monies to be received by the Local Board on account of the rate to be first made and levied by them under the provisions of the Local Act and this Order.

7. That from and after the date of the confirmation of this Order it shall be lawful for the Local Board, notwithstanding anything contained in the 84th section of an Act passed in the sixth year of the reign of His Majesty William the Fourth, cap. 76., entitled "An Act to provide "for the regulation of Municipal Corporations in England and "Wales," or in any other Act amending, explaining, or extending the same, to raise and levy by rates and assessments made in such manner and to such amount as by the Local Act is authorized, such sum or sums of money as the Local Board shall from time to time judge necessary and sufficient for defraying the expenses of carrying into effect such of the purposes and provisions of the Local Act as the Local Board shall by this Order, confirmed as aforesaid, be authorized to execute.

8.—That from and after such date as aforesaid it shall be lawful for the Local Board at any time hereafter, if they shall see fit, to pay off and discharge either wholly or partially all or any of the principal sums of money so borrowed at interest by the Commissioners as aforesaid, and to redeem and purchase from the grantees, or from their assignees or other holders thereof, all or any of the annuities charged by the Local Act upon the rates to be levied by the Commissioners in pursuance of the same by the payment to such grantees or assigns of such sum or sums of money as may be agreed upon by and between the Local Board and such grantees, assignees, or other persons entitled thereto, for the redemption or purchase of such annuities, and upon such respective repayment, redemption, or purchase as aforesaid all assignments and securities made and executed for the purpose of securing any such principal sum so wholly or partially paid off and discharged, or any annuity so redeemed or purchased as aforesaid, shall either wholly or to the extent of any such partial repayment, as the case may require, cease, determine, and become void and of no effect: Provided always, that every dispute or question which may arise as to the amount of principal monies to be paid by the Local Board on any such repayment, purchase, or redemption shall be referred to an actuary, to be appointed, in case of difference, by the Board of Trade, whose decision shall be final: Provided always, that before the

repayment of any such principal sum or the redemption of any such annuity as aforesaid four months notice in writing shall be given by the Local Board to the lender or the person for the time being entitled to payment of any such principal sum, or to the grantee or assignee or other person entitled to such annuity, of the intention of the Local Board to pay off such principal sum or to redeem such annuity as aforesaid, unless such notice be waived by the lender or party entitled as aforesaid, such notice to be forwarded by post in a registered letter addressed to the usual or last known place of abode of such lender or party entitled as aforesaid: Provided nevertheless, that if the usual or last known place of abode of the lender or party entitled as aforesaid cannot be ascertained, or the lender or party entitled as aforesaid shall be under disability, it shall be lawful for the Local Board, after notice to be published for three consecutive weeks in the London Gazette and one local newspaper, to pay the principal sum or sums into the Court of Chancery under the provisions of the Trustee Relief Acts.

9.—That for the purpose of paying off such principal sums or the redemption or purchase of such annuities as aforesaid, the Local Board may borrow or take up any such sum or sums of money as they may think proper, and charge the same and the interest thereof upon the rates and assessments to be levied and received by the Local Board under and by virtue of the Local Act, and may execute assignments of all or any part of such rates and assessments for the purpose of securing any such sum or sums in the same form (mutatis mutandis) as the assignments authorized by the Local Act to be made and executed for the purpose of securing the sums of money thereunder borrowed, and the payment of the annual interest of any such sum or sums of money so borrowed, for the purpose of such repayment or redemption as aforesaid, shall henceforth be deemed to be one of the purposes of the Local Act for which the Local Board are hereby empowered to make and levy rates and assessments as aforesaid.

10.—That it shall be lawful for the Local Board, in case they shall deem it more expedient, instead of borrowing money for the repayment of such principal money or the redemption of such annuities as aforesaid, to set apart in every year, out of the rates and assessments to be made and levied by them under and by virtue of the Local Act, as a sinking fund, and accumulate in the way of compound interest, by investing the same in the purchase of Exchequer Bills or other securities, such sum as will be sufficient to pay off the amount of the principal sums or annuities so intended to be repaid or redeemed at such times as the Local Board may determine, but nothing herein contained shall make it compulsory and incumbent upon the Local Board to repay or redeem any such principal sums or annuities, or to set aside any such sinking fund as aforesaid, unless they shall deem it expedient so to do.

Given under my hand this Twenty-eighth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

READING.

READING.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the Reading Local Board of Health District, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement, for Street and Road Improvements.

WHEREAS the Local Board of Health in and for the District of the Borough of Reading, in the County of Berks, have, in pursuance of the Provisions of the 75th Section of the Local Goverment Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a petition to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land, buildings, and premises, for the purpose of certain street and road improvements within that District.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land, &c. (as shown on the plan accompanying the same) intended to be taken by such Board for such purpose, and the names of the owners, lessees and occupiers of the aforesaid lands, &c. who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such lands, &c., be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject-matter of such Petition, and has duly reported to me thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,

That from and after the passing of any Act of Parliament confirming this Order—

The Local Board of Health for the said District of Reading shall be empowered to put in force, with reference to the lands, buildings, and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my hand this Twentieth day of June in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

The Schedule referred to in the foregoing Order.

The Lands, Buildings, and Premises proposed to be taken for the Purposes set forth n the preceding Order, and situate in the District of Reading, are the following, the Figures in the First Column referring to those on the Plan mentioned in the Petition of the aforesaid Local Board and in the foregoing Order.

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
6	Dwelling House, commonly known as St. Lawrence's Vicarage, situate in Friar Street and Vastern Street, Reading, with the Garden, Stable, Coach House, Yard, Buildings, Lands, and Appurtenances belonging thereto or held therewith.	The Lord Bishop of Oxford; the Rev. Lewin George Maine, No. 4, Eldon Road, Reading; and John Blagrave, Esq.; and Cecil Monro, Esq.	- - -	The Rev. Lewin George Maine.
7	Dwelling House, Shop, Bakehouse, Shed, Yard, and Buildings, with the Appurtenances, commonly known as No. 3, Friar Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	The Representatives of the late Mr. William Fardon, Bedford Place, Reading.	Cornelius Vincent Carr.
8	Dwelling House, Shop, Workships, Land, and Buildings, with the Appurtenances, commonly known as No. 4, Friar Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	Robert Fleming, No. 4, Friar Street, Reading; and William Fleming, No. 3, Abbot's Walk, Reading.	Robert Fleming and William Fleming.
9	Dwelling House, commonly known as No. 5, Friar Street, Reading, called "The Wheatsheaf," with the Land, Buildings, and Appurtenances belonging thereto.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling, Innkeeper, No. 5, Friar Street, Reading.	Joel Gosling.
10	Passage Way leading from Vastern Street, Reading, to the Rear of the Premises known as the Wheatsheaf Inn.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling - -	Joel Gosling.
11	Stables, Coach Houses, Sheds, Yard, Land, and Buildings, situate in Vastern Street, Reading, and in the Rear of the Premises known as the Wheatsheaf Inn.	John Blagrave, Esq., and Cecil Monro, Esq.	Joel Gosling and Thomas Rose, No. 9, Forbury, Reading.	Thomas Rose.
13	Yard, with the Stables, Coach Houses, Sheds, and Piggeries standing thereon, situate at the northern End of the Garden and Buildings at the Rear of the House known as No. 10, Friar Street, Reading, and containing, on the South Side, 76 Feet 6 Inches; on the West Side, 122 Feet; on the North Side, 71 Feet; and on the East Side, 114 Feet or thereabouts.	Robert Lovegrove, Caversham, Reading.	Mary Elizabeth Cocks, Innkeeper, No. 10, Friar Street, Reading.	Mary Elizabeth Cocks.
16	Garden and Land, situate on the East Side of the Road leading from Friar Street to the Stations of the Great Western Railway and South Eastern Railway, Reading.	The Great Western Railway Company, Paddington, London.	- - -	William Flanagan, Great Western Hotel, Reading.
16*a*	Garden and Land, situate on the South Side of the South Eastern Railway Station, Reading, and of the Road leading to such Station.	The South Eastern Railway Company, London Bridge, London.	- - -	John Carter, South Eastern Railway Station, Reading.
16*b*	Dwelling House, Sheds, Garden, Land, and Buildings situate on the West Side of Vastern Street, Reading.	The South Eastern Railway Company.	- - -	John White, Vastern Street, Reading.
16*c*	Land, Roadway, and Embankment, situate on the South Side of the Stations and Line of the South Eastern Railway, and the West Side of Vastern Street.	The South Eastern Railway Company.	- - -	John Carter.

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
17	Dwelling House, Garden, Land, and Buildings, with the Appurtenances, commonly known as No. 8, Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Eggleton.
18	House, commonly called "The Waggon and Horses," situate on the West Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	William Blandy, Charles Blandy, and Thomas Hawkins, Brewers, Castle Street, Reading.	William Waterer.
19	Office in the Rear of the House, commonly called "The Waggon and Horses," situate in Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley, Vastern Street, Reading.
20	Dwelling House and Buildings, with the Appurtenances, commonly known as No. 6, Vastern Street, Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley.
21	Warehouse, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Gregory, Grocer, Market Place, Reading; and Lewis and William Cooper, Wine Merchants, Market Place, Reading.
22	Shed, Yard, and Buildings, with the Appurtenances, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley.
23	Stable, situate at the North End of a Yard lying on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
24	Cart Shed, situate on the South Side of the North End of a Yard lying on the West Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
25	Store Rooms, situate in a Yard lying on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Allsop, Corn Dealer, Caversham Road, Reading; and Thomas Lewis Gould.
26	Store Rooms, situate in a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Allsop and Thomas Gregory; John Newbery, jun., Pianoforte Maker, 158, Friar Street, Reading; and Charles Martin, Innkeeper, Friar Street, Reading.
27	Stable and Shed, situate in a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	
28	Cart Shed, situate at the South End of a Yard on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Thomas Lewis Gould.
29	Yard, situate on the West Side of Vastern Street, Reading.	John Blagrave, Esq., and Cecil Monro, Esq.	- - -	Henry Hadley, Lewis and William Cooper, Thomas Lewis Gould, Thomas Gregory, Charles Martin, Thomas Allsop, and John Newbery.
42	Cottage, Land, and Buildings, with the Appurtenances, situate in the Rear of Bush Court, Vastern Street.	John Balgrave, Esq., and Ceeil Monro, Esq.	William Blandy, Esq., and Charles Blandy, Esq.	Thomas Cropp.
45	Land, Garden, and Buildings, situate on the East Side of Vastern Street.	John Blagrave, Esq., and Cecil Monro, Esq.	Ditto - - -	Charles Martin.
55	House, commonly called "The Rising Sun," situate on the North Side of the Forbury, Reading, with the Land, Buildings, and Appurtenances belonging thereto.	John Blagrave, Esq., and Cecil Monro, Esq.	Thomas Fox Alexander Byles, Brewer, Henley-on-Thames, Oxon.	Thomas Christie Atto.

No. on Plan annexed to Petition.	Description of Lands, Messuages, Buildings, and Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
56	Land and Enclosure, commonly known as the Borough Pound.	The Mayor, Aldermen, and Burgesses of the Borough of Reading, in the County of Berks.	- - -	The Mayor, Aldermen, and Burgesses of the Borough of Reading.
57	Building and Land, with the Appurtenances, commonly known as the Tramp Ward.	The Mayor, Aldermen, and Burgesses of the Borough of Reading, in the County of Berks.	- - -	The Guardians of the Poor of the Reading Union.
58	Land, situate between Vastern Street, Reading, and the Road leading from the Forbury to the King's Meadow.	The South Eastern Railway Company.	- - -	The South Eastern Railway Company.
59	Land at the Western Corner of the Goods' Yard of the South Eastern Railway, at Reading.	The South Eastern Railway Company.	- - -	The South Eastern Railway Company.
60	Land and Building on the South Side of St. Lawrence's Church, Reading, formerly used as a Police Cell.	The Mayor, Aldermen, and Burgesses of the Borough of Reading.	- - -	Unoccupied.
61	A Building and Land, commonly known as Knollys Aisle, on the South Side of St. Lawrence's Church, Reading.	Richard Grove Lowe, Esq., St. Albans; Rupert Clarke, Esq., Reading; Richard Saunders, Esq., Dartford, Kent; and John Weldale Knollys, Esq., Cheltenham.	- - -	John Weldale Knollys.

WARLEY.

Provisional Order for Separation from the District of Warley, in the County of York, of a Portion of the said District, under the Local Government Act, 1858.

WHEREAS a Petition has been presented to me, as one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th Section of the Local Government Act, 1858, from owners and ratepayers of part of the District of Warley aforesaid, praying for the separation from the said District of all such portion of the said District as is described in their Petition and is coloured Yellow in the Plan accompanying the same:

And whereas inquiry has been directed in the said District into the several matters alleged in the said Petition, and Report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed for the Purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the Powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct,—

That

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for Warley, in the County of York, be altered by there being separated therefrom all that portion of the said District which is described in the Schedule to this Order annexed, and that such portion shall be excluded from the operation of the Local Government Act, 1858, accordingly.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District of the Warley Local Board as altered by this Order, and by the votes of Owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eighteenth day of May in the year One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

SCHEDULE referred to in the preceding Provisional Order.

The portion of the Warley Local Board District which is described in the preceding Provisional Order as the part to be separated from such District and to be excluded from the operation of the Local Government Act, 1858, in such District, is that shown on the Plan accompanying the Petition herein-before mentioned and coloured Yellow thereon.

The Boundaries of that portion of the District of Warley proposed to be separated therefrom commence at the point A on the Plan herein-before referred to, in the centre of the River Calder, near Boy Bridge, and opposite to the middle of the mouth of the Luddenden Dean Brook, thence northerly along the centre of the said Brook to B, at Lane House Footbridge, thence easterly along the footpath leading from Luddenden Lane to Sheperd's House Lane and including it, to C, thence along Sheperd's House Lane and Popple Wells Lane and including them, to D, thence along the east side of Stoney Lane to E on the road between Butt's Green and Newlands, thence across the said road and along the east and north sides of Winterburn Hill Lane to F, thence southerly to G at Pigman's Lane, thence crossing the said lane and along its south side to H at the footpath leading to Holye House, thence along the said footpath and including it to I at Water Hill Lane, thence along the said Water Hill Lane, and including it, to Blackwall Lane, thence along the said Blackwall Lane, and including it, to K on the Todmorden Turnpike Road, thence along the south side of the said Turnpike Road to L at Timmey Lane Top, thence across the said Turnpike Road to Timmey Lane, thence along the east side of the said Timmey Lane, and including it, to Gatehead, thence along the north side of the road leading from Gatehead to Hill Top, thence along the east side of the road leading from Hill Top to the Rochdale Canal Bridge, thence crossing the said bridge to M in the centre of the River Calder, on the weir at Hollins Mill, thence westerly along the boundary between the Townships of Warley and Sowerby to the starting point at A, so completing the boundaries.

MIDGLEY.

Provisional Order for altering the Boundaries of the District of Midgley, in the County of York.

WHEREAS a Petition has been duly presented to one of Her Majesty's Principal Secretaries of State, under the provisions of the 77th section of the Local Government Act, 1858, duly signed by owners of property and ratepayers within certain parts of the District of the Local Board for the District of Midgley, in the parish of Halifax, in the county of York, praying for an alteration of the existing boundary of the said District by separating therefrom the portions set forth and described in such Petition:

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been duly made to me thereon by Robert Morgan, Esquire, the Inspector appointed by me for such purpose:

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct,—

That from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the Local Board for Midgley, in the parish of Halifax, in the county of York, be altered by there being separated therefrom all that portion of such District as is comprised within the boundaries set forth and described in the petition aforesaid, and commencing at the point A shown on the plan accompanying such Petition, in the centre of the River Calder, near to Over or Upper Foot Canal Bridge, and opposite to the overflow of the Rochdale Canal; thence in a north-easterly direction along the Ellen Royd Beck or water-course to the Todmorden and Burnley turnpike road; thence crossing the said turnpike road to the point B; thence along and including the said Todmorden and Burnley turnpike road to the footpath at Over Foot, leading in an easterly direction from the said Todmorden and Burnley turnpike road to a part of the Kershaw House Farm, called Top Shuttles, along and including the said footpath for the whole length from Top Shuttles to Luddenden Lane; thence along the north-west side of the said lane to the point C; thence across the said Luddenden Lane in a south-easterly direction, along the north-east fence of the "Tannery," and in a direct line to the centre of Luddenden Dean Brook; thence along the boundary between the township of Midgley and Warley to the centre of the River Calder; thence north-westerly along the centre of the said river, it being the boundary between the townships of Midgley and Sowerby to the starting point at A.

2.—At every election of members of the Local Board aforesaid which shall take place after the passing of the Act of Parliament confirming this Order

Order, the members to be elected shall be elected for the Local Board District as altered by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so altered as aforesaid.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-seven.

(Signed) GATHORNE HARDY.

Local Government Supplemental (No. 6).

A

B I L L

To confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of Exeter, Devonport, Reading, Warley, and Midgley, and for other Purposes relative to certain Districts under the said Act.

(*Prepared and brought in by Mr. Secretary Gathorne Hardy and Mr. Sclater-Booth.*)

Ordered, by The House of Commons, *to be Printed,* 9 *July* 1867.

[Bill 244.]

Under 3 oz.

A

BILL

FOR

Further continuing and appropriating the London Coal and Wine Duties.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Continuance of Duties and Acts for a further Period of Years.

1. All Duties by The London Coal and Wine Duties Continuance Act, 1861, continued until the Fifth Day of July One thousand eight hundred and seventy-two, and by The London Coal and Wine Duties Continuance Act, 1863, further continued until the Fifth Day of July One thousand eight hundred and eighty-two, and all Acts relating thereto, shall be and the same are hereby further continued until the *Fifth Day of July One thousand eight hundred and eighty-eight;* and The London Coal and Wine Duties Continuance Act, 1861, shall be read as if the *Fifth Day of July One thousand eight hundred and eighty-eight* had been substituted throughout that Act for the Fifth Day of July One thousand eight hundred and seventy-two.

24 & 25 Vict. c. 42.
26 & 27 Vict. c. 46.

Coal Duty of Fourpence to be applied

2. The net Proceeds of the Duty of Fourpence, Part of the Duty of Twelvepence, on Coal, Culm, and Cinders, continued by this

by Corporation of London for Improvements.

this Act, shall, during the Continuance thereof, be applied by the Mayor, Aldermen, and Commons of the City of London, as follow, so far as the same are not already appropriated by Act of Parliament, in the first instance in completing the Holborn Valley Viaduct, new Streets, and Improvements under the Holborn Valley Improvement Act, 1864, and other Improvements connected therewith, and afterwards the said Duty of Fourpence shall be applied by the said Corporation of London towards or in aid of such public Improvement or Improvements in or adjacent to the City of London as Parliament may hereafter sanction.

Compensation or Pensions to Officers in certain Cases to be regulated by 22 Vict. c. 26.

3. Whenever any Clerk or other Officer appointed by the Court of Common Council under the Authority of the Acts First and Second William Fourth, Chapter Seventy-six, First and Second Victoria, Chapter One hundred and one, Eighth and Ninth Victoria, Chapter One hundred and one, Fourteenth and Fifteenth Victoria, Chapter One hundred and forty-six, and Twenty-fourth and Twenty-fifth Victoria, Chapter Forty-two, for the Purpose of carrying out the Provisions of the said Acts relating to the Collection of the Duties on Coal and the Allowance of Drawback on the same when exported beyond the Limits of the Port and District of London, shall from Age, Illness, Length of Service, or any other Cause become incapable of performing the Duties of his Office, or when any such Office shall be abolished, it shall be lawful for the Mayor, Aldermen, and Commons of the City of London in Common Council assembled, to grant to such Clerk or other Officer such Compensation or Pension as they shall deem right in respect of the Salary, Allowances, or Emoluments which such Clerk or Officer may be in receipt of, but such Compensation or Pension shall not exceed the Compensation or Pension that can be granted to a public Servant under an Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in Her Majesty's Service, and passed in the Session of Parliament holden in the Twenty-second of Victoria, Chapter Twenty-six.

Compensations or Pensions to be charged on Duties.

4. The Amount of such Compensation or Pension shall be charged rateably on the several Duties collected under the Authority of the above-recited Acts relating to the Coal and Wine Duties and this Act, but if such Duties should not be continued longer than the Year One thousand eight hundred and eighty-eight the Corporation of London shall after that Time be liable to pay such Compensations and Pensions as may have been previously granted by

by them, although the Money in the Hands of the Corporation arising from such Duties shall not be sufficient for that Purpose.

5. This Act may be cited as "The London Coal and Wine Duties Continuance Act, 1867." Short Title.

London Coal and Wine Duties Continuance.

A

BILL

For further continuing and appropriating the London Coal and Wine Duties.

(*Prepared and brought in by Mr. Dodson, Lord John Manners, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed,* 21 *February* 1867.

[Bill 43.]

Under 1 *oz.*

A

BILL

INTITULED

An Act to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in Scotland may be granted.

WHEREAS by an Act of the Twenty-ninth and Thirtieth Years of Her present Majesty, Chapter Fifty-one, intituled "An Act to amend the Acts relating to Lunacy in "Scotland, and to make further Provision for the Care and Treat- "ment of Lunatics," it is enacted, Section Seven, that in no Case shall the Sheriff's Order for the Reception and Detention of any Lunatic in any Asylum or House remain in force longer than the First Day of January then first occurring after the Expiry of Three Years from the Date on which it was granted, or than the First Day of January in each succeeding Year, unless the Superintendent or Medical Attendant of the Asylum or House in which the Lunatic is detained shall, on each of the said First Days of January, or within Fourteen clear Days immediately preceding, grant, and transmit to the General Board of Lunacy in Scotland, a Certificate, on Soul and Conscience, according to the Form in Schedule (A.) annexed to the said Act, that the Detention of the Lunatic is necessary and proper, either for his own Welfare or the Safety of the Public: Preamble.

 And

And whereas, through Ignorance, or Misapprehension of the said Enactment, there has been an Omission on the Part of the Superintendents or Medical Attendants of a large Number of the Asylums or Houses in Scotland for the Reception and Detention of Lunatics, to grant and transmit the Certificates required by the before-recited Enactment:

And, for preventing any Inconvenience that might happen in consequence of such Omission, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certificates under 29 & 30 Vict. c. 51. s. 7., granted on or before 1st October 1867, to have the same Effect as if granted on or before 1st January 1867.

1. Every Certificate granted and transmitted on or before the First Day of October of the present Year, but in other respects in accordance with the Provisions of the said Seventh Section of the recited Act and relative Schedule, shall have the same Effect in continuing in force the Sheriff's Order for the Reception and Detention of the Lunatic therein referred to as if the same had been granted and transmitted to the said General Board of Lunacy on the First Day of January of the present Year, and all Orders granted by Sheriffs for the Reception and Detention of any Lunatics in any Asylum or House shall continue in force till the said First Day of October in this present Year, notwithstanding the Omission to grant and transmit the Certificates aforesaid: Provided always, that, except in so far as hereby expressly provided, the said Seventh Section of the recited Act shall remain in full Force and Effect.

Indemnity to Persons who omitted to grant Certificates on or before 1st January 1867.

2. No Claim or Action of Damages shall lie at the Instance of or against any Person by reason of the Detention during any Period anterior to the First Day of October next ensuing of any Lunatic in any Asylum or House in Scotland for the Reception and Detention of Lunatics, on the Ground of the Sheriff's Order having fallen or expired from the aforesaid Certificate not having being granted and transmitted in Terms of the Provisions of the recited Act.

Lunacy (Scotland). [H.L.]

A

B I L L

INTITULED

An Act to enlarge for the present Year the Time within which certain Certificates regarding Lunatics in Scotland may be granted.

(*Brought from the Lords* 2 *July* 1867.)

Ordered, by The House of Commons, *to be Printed*, 2 *July* 1867.

[Bill 219.]

Under 1 *oz.*

A

BILL

TO

Regulate the Court and Office of the Lyon King of Arms in Scotland, and the Emoluments of the Officers of the Same.

Preamble.

WHEREAS it is expedient to regulate the Court and Office of the Lyon King of Arms in Scotland, and the Emoluments of the Officers of the same:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lyon King of Arms to have same Rights and Duties as heretofore, except in so far as altered by this Act.

1. From and after the *passing of this Act* the Jurisdiction of the Lyon Court in Scotland shall be exercised by the Lyon King of Arms, who shall have the same Rights, Duties, Powers, Privileges, and Dignities as have heretofore belonged to the Lyon King of Arms in Scotland, except in so far as these are herein-after altered or regulated.

Lyon King of Arms to discharge his Duties personally.

2. The Lyon King of Arms shall be bound to discharge the Duties of his Office personally and not by Deputy: Provided always, that in the event of the temporary Absence of the Lyon King of Arms, from Illness or other necessary Cause, it shall be lawful for the Lord President of the Court of Session to grant a Commission to some other Person to discharge the Duties of Lyon King of Arms ad interim, and such Commission shall not be liable to any

Stamp Duty: And provided also, that without any such Commission, in the event of the temporary Absence or Incapacity of the Lyon King of Arms, the Lyon Clerk shall be and is hereby empowered to admit to the Office of Messenger at Arms Persons properly qualified according to the present Law and Practice.

Salary of Lyon King of Arms.

3. *The Lyon King of Arms, who shall be appointed by Her Majesty, Her Heirs and Successors, shall receive such Salary not exceeding Six hundred Pounds per Annum, as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable quarterly out of any Monies to be voted by Parliament for that Purpose, which Salary shall come in place of the Fees hitherto exigible by him to which he shall no longer be entitled.*

Rights and Duties of Lyon Clerk.

4. The Lyon Clerk shall hereafter have the same Rights and perform the same Duties as heretofore, except in so far as the same are herein-after altered or regulated.

Lyon Clerk to perform his Duties personally.

Salary of Lyon Clerk.

5. The Lyon Clerk, who shall be appointed by Her Majesty, Her Heirs and Successors, shall, subject to the Provision contained in the Twelfth Section of this Act, perform the Duties of his Office personally and not by Deputy, *and shall receive such Salary not exceeding Two hundred and fifty Pounds per Annum as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable as aforesaid,* which Salary shall come in place of the Fees hitherto exigible by him, to which he shall no longer be entitled: Provided always, that in the event of the temporary Absence or Incapacity of the Lyon Clerk it shall be lawful for the Lyon King of Arms, with the Consent of Her Majesty's Advocate, to grant a Commission to some other Person to discharge the Duties of the Lyon Clerk ad interim, and such Commission shall not be liable to any Stamp Duty.

Rights and Duties of Heralds and Pursuivants in Scotland.

6. The Heralds and Pursuivants in Scotland shall be appointed by the Lyon King of Arms, and shall have the same Rights and Privileges and discharge the same Duties as heretofore, except in so far as altered or regulated by this Act.

As to filling up Vacancies in Offices of Herald and Pursuivant.

7. No Vacancy in the Office of Herald in Scotland shall be filled up by the Lyon King of Arms until the Number of Heralds has, by Death, Resignation, or Removal, fallen to below Three, after which Event the Vacancies which may occur in said Office shall be filled up, so that the Number of Heralds shall in Time coming be maintained at Three; and no Vacancy in the Office of Pursuivant in Scotland shall be filled up by the Lyon King of Arms

Arms until the Number of Pursuivants has, by Death, Resignation, or Removal, fallen to below Three, after which Event the Vacancies which may occur in said Office shall be filled up, so that the Number of Pursuivants shall in Time coming be maintained at Three: Provided always, that no Herald or Pursuivant appointed before the passing of this Act shall in respect of any Vacancy not being filled up be entitled to any larger Share of Fees than he would have been entitled to had there been no such Vacancy.

Salary of Heralds and Pursuivants.

8. No Herald or Pursuivant appointed after the passing of this Act shall be entitled to exact any Fees, *but each Herald or Pursuivant so appointed shall receive, in lieu of Fees, such Salary as the Commissioners of Her Majesty's Treasury shall from Time to Time approve, payable as aforesaid:* Provided always, that no Herald or Pursuivant appointed after *the passing of this Act* shall pay or give to the Lyon King of Arms any Consideration for his Appointment, and if any such Consideration shall have been paid or given by any such Herald or Pursuivant his Appointment shall be null and void.

Duties and Fees of Herald Painter and Procurator Fiscal of Lyon Court.

9. The Herald Painter in Scotland and Procurator Fiscal of the Lyon Court shall hereafter be appointed by the Lyon King of Arms, and shall respectively perform the Duties, and be entitled to receive the Fees, which the Herald Painter and Procurator Fiscal aforesaid have hitherto been bound to perform and entitled to exact: Provided always, that no Herald Painter or Procurator Fiscal shall have any vested Right in such Fees.

Attendance at Lyon Office.

10. From the *First Day of October* to the *Twentieth Day of December* and from the *Fifth Day of January* to the *Twentieth Day of July* in each Year the Hours of Attendance at the Lyon Office shall be from Eleven o'Clock in the Forenoon to Three o'Clock in the Afternoon, every lawful Day except Saturday; and from the *Twenty-first Day of July* to the *Thirtieth Day of September* and from the *Twenty-first Day of December* to the *Fourth Day of January* in each Year the Hours of Attendance shall be from Eleven o'Clock in the Forenoon to One o'Clock in the Afternoon, and on Tuesdays and Thursdays only: Provided always, that between the *Twenty-first Day of July* and the *Thirtieth Day of September*, and between the *Twenty-first Day of December* and the *Fourth Day of January*, in each Year, the Lyon King of Arms shall not be bound to entertain any Applications for Grants or Matriculations of Arms, or for recording Pedigrees: Provided also, that there shall be provided for the Lyon King of Arms, the Lyon

Clerk, and the Herald Painter, such sufficient Office Accommodation as the Commissioners of Her Majesty's Treasury may determine.

Regulating disposal of Fees payable under the Statutes of the Order of the Thistle and Grant of Geo. II., dated 19 July 1731.

11. The Fees hitherto payable to the Lyon King of Arms by Knights of the Thistle under the Statutes of the Order of the Thistle, and the Fees payable to the Lyon King of Arms in Terms of a Grant of His Majesty King George the Second, under the Privy Seal of Great Britain, of Date the Nineteenth Day of July One thousand seven hundred and thirty-one, shall from and after the *passing of this Act* be paid into Her Majesty's Exchequer; and after the Death, Resignation, or Removal of any of the Heralds or Pursuivants aforesaid appointed prior to the *passing of this Act* the Proportion of Fees which but for the said Death, Resignation, or Removal would have been payable to him or them in Terms of the said Statutes of the Order of the Thistle, or in Terms of the before-mentioned Grant of His Majesty King George the Second, shall be paid into Her Majesty's Exchequer, so that after the Death, Resignation, or Removal of all the Heralds and Pursuivants appointed prior to the passing of this Act the whole Sums appointed by the said Statutes of the Order of the Thistle and the said Grant of His Majesty King George the Second to be paid to the Heralds and Pursuivants aforesaid shall instead be paid into Her Majesty's Exchequer.

Rights of present Lyon Clerk not to be affected by this Act.

12. Until the Death, Resignation, or Removal of the present Lyon Clerk, notwithstanding anything to the contrary contained in this Act, it shall be lawful for him to perform the Duties of his Office by Deputy, and to exact the Fees and Dues hitherto exigible by him.

Fees.

13. Until the Occurrence of the next Vacancy in the Office of Lyon Clerk, the Fees and Dues enumerated in Schedule A. annexed to this Act shall be exigible in lieu of the Fees and Dues hitherto payable to the Lyon King of Arms and Lyon Depute, and shall be paid into Her Majesty's Exchequer; and after the Occurrence of such Vacancy the Fees and Dues enumerated in Schedule B. annexed to this Act shall be exigible in lieu of the Fees and Dues hitherto payable to the Lyon King of Arms, Lyon Depute, and Lyon Clerk, and shall be paid into Her Majesty's Exchequer.

SCHE-

SCHEDULES.

SCHEDULE A.

	£	s.	d.
On every Patent of Arms with Supporters - - -	29	8	0
On every Patent of Arms without Supporters - - -	13	13	0
On every Matriculation of Arms with Supporters, without a new Patent - - - - - - - -	6	16	6
On every Matriculation of Arms without Supporters, without a new Patent - - - - - - - -	4	14	6
On every Matriculation of Arms without a new Patent of Arms, but with a Patent of Supporters - - - - -	22	1	0
On every Genealogy recorded - - - - -	7	17	6
On the Admission of a Messenger at Arms to practise in the County of Edinburgh - - - - -	11	2	3
On the Admission of a Messenger at Arms to practise out of the County of Edinburgh - - - - -	8	6	8
Annual Dues of each Messenger at Arms - - -	0	11	2

N.B.—These Fees are exclusive of Stamp Duties when such are exigible.

SCHEDULE B.

	£	s.	d.
On every Patent of Arms with Supporters - - -	49	12	0
On every Patent of Arms without Supporters - - -	29	18	0
On every Matriculation of Arms with Supporters, without a new Patent - - - - - - - -	15	16	6
On every Matriculation of Arms without Supporters, without a new Patent - - - - - - - -	12	0	6
On every Matriculation of Arms without a new Patent of Arms, but with a Patent of Supporters - - - -	34	13	6
On every Genealogy recorded - - - - -	10	10	0
Additional for each Member of the Pedigree - - -	0	5	0
Certificate regarding Change of Surname - - -	0	15	0
Search in Register of Arms - - - - -	0	5	0
Search in Register of Genealogies - - - -	0	5	0
General Search in Heraldic MSS. - - - -	1	1	0
General Search in Genealogical MSS. - - - -	1	1	0
On every Extract from a Register - - - -	0	10	6
On entering a Caveat - - - - - -	0	5	0

	£	s.	d.
On the Admission of a Messenger at Arms to practise in the County of Edinburgh	19	14	0
On the Admission of a Messenger at Arms to practise out of the County of Edinburgh	15	14	0
Annual Dues of a Messenger at Arms practising in the County of Edinburgh	0	17	0
Annual Dues of a Messenger at Arms practising out of the County of Edinburgh	0	17	6
On renewal of a Messenger's Bond of Caution	2	10	0
On recordin g Resignation or Change of Residence of a Messenger	0	2	6
On search for a Messenger's Cautioner	0	2	6
On every certified Statement of Name and Designation of such Cautioner, and Date of Bond	0	5	0
On each Petition or Paper lodged in a Process against a Messenger	0	5	0
On each Interlocutor in a Process against a Messenger	0	5	0
On extracting each Warrant, Decreet, or Precept of Suspension, first Sheet	0	5	0
On ditto, each subsequent Sheet	0	3	0
On affixing Seal of Office to Warrant, Decree, or Precept	0	5	0
On examining Executions of Service and Intimations of Precepts of Suspension, marking them on the Record and giving out Certificate	0	5	0
On lending Process and taking Receipt	0	2	0
On Return of Process and scoring Receipt	0	1	0
On Re-admission of a Messenger at Arms	1	0	6
On the Appointment of a Herald	9	16	4
On the Appointment of a Pursuivant	9	1	0

N.B.—These Fees are exclusive of Stamp Duties when such are exigible.

Lyon King of Arms (Scotland).

A

BILL

To regulate the Court and Office of the Lyon King of Arms in Scotland, and the Emoluments of the Officers of the same.

(*Prepared and brought in by Sir Graham Montgomery, Mr. Secretary Walpole, and Mr. Hunt.*)

Ordered, by The House of Commons, *to be Printed*, 21 *February* 1867.

[Bill 44.]

Under 1 *oz.*